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MEMOIRS

OF THE

HON. THOMAS JEFFERSON,

SECRETARY OF STATE, VICE-PRESIDENT, AND PRESIDENT OF THE UNITED STATES OF AMERICA;

CONTAINING

A CONCISE HISTORY OF THOSE STATES,

FROM THE ACKNOWLEDGMENT OF THEIR INDEPENDENCE;

WITH A

VIEW OF THE RISE AND PROGRESS

OF

FRENCH INFLUENCE AND FRENCH PRINCIPLES

IN THAT COUNTRY.

Hæc natura multitudinis est, aut servit humiliter aut superbe dominatur: libertatem quæ media est, nec spernere modice, nec habere sciunt; et non ferme desunt irarum indulgentes ministri; qui avidos atque intemperantes plebeiorum animos ad sanguinem et cædes irritent.

Livius, lib. xxiv cap. 25.

IN TWO VOLUMES.

VOLUME II.

PRINTED FOR THE PURCHASERS.

1809.

DISTRICT OF NEW-YORK, *ss.*

BE IT REMEMBERED, That on the seventh day of June, in the thirty-third year of the Independence of the United States of America, THOMAS HALL, of the said district, hath deposited in this office the title of a book, the right whereof he claims as proprietor, in the words and figures following, to wit:

"Memoirs of the Hon. Thomas Jefferson, Secretary of State, Vice-Presi-"dent, and President of the United States of America; containing a concise "history of those States, from the acknowledgment of their independence, "with a view of the rise and progress of French influence and French princi-"ples in that country. Hæc natura multitudinis est, aut servit humiliter aut "superbe dominatur: libertatem quæ media est, nec spernere modice, nec "habere sciunt; et non ferme desunt irarum indulgentes ministri; qui avidos "atque intemperantes, plebeiorum animos ad sanguinem et cædes irritent. "*Livius*, lib. xxiv. cap. 25. In two volumes."

IN CONFORMITY to the act of the Congress of the United States, entitled, "An act for the encouragement of learning, by securing the copies of maps, "charts, and books, to the authors and proprietors of such copies, during "the times therein mentioned;" and also to an act, entitled, "An act, sup-"plementary to an act, entitled, an act for the encouragement of learning, "by securing the copies of maps, charts, and books, to the authors and pro-"prietors of such copies, during the times therein mentioned, and extending "the benefits thereof to the arts of designing, engraving and etching his-"torical, and other prints."

CHARLES CLINTON,
Clerk of the District of New-York.

MEMOIRS

OF

THOMAS JEFFERSON, ESQ.

&c. &c. &c.

CHAPTER I.

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Intrigues, and artifices, and clandestine calumnies against Washington and Adams, exposed—Wicked and unjust policy of France, when a monarchy, and since the revolution, towards America and Great Britain—Doctor Logan dispatched as an envoy from Mr. Jefferson to Paris—Extraordinary conduct of Mr. Adams to France, and to his own ministers—bad effects of it—The conduct of emigrants, and particularly of the Society of American United Irishmen, discussed, and the plans of that body developed—Alien act—Sedition act—Mission of Doctor Logan censured by both Houses—Treaty of 1800 signed—Character of the administration of President Adams.

BEFORE that firebrand, as Mr. Jefferson's journalist very properly called Genet, arrived in America, Mr. Jefferson who had been perhaps little less than him a French incendiary---was, and has ever since been, as much as Genet, hostile to Washington's principles of policy, and made no less hardy attempts to compromit the peace of the country and plunge it in a war with England in favour of France.—To this

end he with his whole influence endeavoured to prevent the issuing of the proclamation of neutrality, and when it was issued joined in the general clamour against it, and did every thing he could do, covertly, to render the proclamation and Washington, the author of it, odious. To develope the secret springs of this extraordinary statesman's mind, to unfold his duplicity, to mark the moral qualities of him who has been for years the idol of a sect, and the apostle of a doctrine, and to establish the truth of his character upon an unshakeable basis, these facts are thus collected and immovably nailed down upon record. The reader ought not for a moment to lose sight of one great cardinal matter of fact—namely, that all this time that very man was foremost among the professed admirers and adulators of Washington. At the very time, as we have before related, that he was employing all his persuasions, influence and flattery, to induce that great man to continue another term in the chief magistracy, he privately entertained the most unfavourable opinion of his fitness for the office. What that opinion was will be best taken from his own words in a letter to a confidential friend of his.—A Mr. Mazzei, by birth an Italian, had migrated to America before the revolution, and chusing to take up his residence in Virginia, purchased land and planted a vineyard near Monticello—here he formed an intimate acquaintance and friendship with Mr. Jefferson, during whose administration, as Governor of that State, he was sent on a mission to the Grand Duke of Tuscany, from which he continued to correspond with his Virginia friends. The French

marching into Tuscany and introducing republicanism into that monarchy afforded Mr. Mazzei matter for a correspondence with Mr. Jefferson, in the course of which the latter wrote the following letter, which the Italian published, and which appeared in the Moniteur of Paris on the 25th of January, 1797---it was addressed thus.

" *To M. Mazzei, Author of Researches Historical*
" *and Political, upon the United States of America,*
" *now resident in Tuscany.*

" Our political situation is prodigiously changed " since you left us. Instead of that noble love of " liberty and that republican government which car- " ried us through the war, AN ANGLO-MONARCHIO- " ARISTOCRATIC PARTY has risen. Their avowed " object is to impose on us the substance, as they " have already given us the form, of the British go- " vernment.---Nevertheless, the principal body of our " citizens remain faithful to republican principles. " All our proprietors of lands are friendly to those " principles, as also the men of talents. We have " against us (republicans) the Executive power---the " Judiciary power (two out of three branches of our " government)---all the officers of the government--- " all who are seeking office---all timid men* who " prefer the calms of despotism to the tempestuous

---

* A plague on all cowards say I, and a vengeance too—marry and amen——A coward is worse than a cup of sack with lime in it. *Falstaff.*

" sea of liberty---the British merchants, and the " Americans who trade on British capitals---the spe- " culators---persons interested in the public funds--- " establishments invented with views of corruption, " and to assimilate us to the British model, in its cor- " rupt parts.

" I should give you a fever were I to name *the* " *apostates* who have embraced their heresies. Men " who were SOLOMONS IN COUNCIL, and SAMPSONS " IN COMBAT, BUT WHOSE HAIR HAS BEEN CUT " OFF BY THE WHORE OF ENGLAND.

" They would wrest from us that liberty which we " have obtained by so much labour and peril; but " we shall preserve it. Our mass of weight and riches " is so powerful that we have nothing to fear from " any attempt against us by force. It is sufficient " that we guard ourselves, and that we break *the* " *Lilliputian ties,* by which they bound us, in the " first slumbers which succeeded our labours. It " suffices that we arrest the progress of that system " of ingratitude and injustice towards France, from " which they would alienate us to bring us under " British influence.

Signed " THOS. JEFFERSON."

Here we have the whole of the doctrines of the French faction, of the democratic societies, and of the jacobin agents of all kinds condensed into a few lines---all their charges, calumnies, invectives and insinuations against Washington, are here given in the abstract---and shaped into articles of impeachment, not of high crimes and misdemeanours.

but, if substantiated, of actual treason. The Executive impeached---the Judiciary impeached, and all the officers of the government impeached---and of what ?---Of a conspiracy, with overt acts, to overturn the republican government, and to substitute an anglo-monarchio-aristocratic government in America. ---"*They* (the Executive, Judiciary, &c.) *would wrest* "*from us that liberty which we obtained with so much* "*peril and labour.*"*---A palpable charge of treason if true.---"Break the Lilliputian ties by which they "have bound us," or, in other words---they, the Executive, &c. have enslaved and tied us down while we were unguarded, by a Constitution and laws which we ought to break.

The insinuation against Washington conveyed in the allusion to Sampson, is too plain to need explanation---it is as palpable an innuendo of that great man's being corrupted by Britain as ever was found by a Jury.

If all this were thought true by Mr. Jefferson, how can he account, as a man of honour, as a man of common honesty, as an American and a republican, for acting in official concert with the men who were doing such mischief?---How, for his being even their ostensible advocate, and drawing up, with all his ability and cunning, those writings by which they imposed upon

---

*They (Washington, the general of our armies and the conqueror) would wrest from us (Jefferson) that liberty which WE obtained by so much labour in flying up Carter's mountain, and so much peril in skulking in a cave. Gracious God! what assurance!

the country---and for his being the active and efficient minister of a cabinet and government so corrupted?--- How, for voluntarily sitting down as a member of that council in which such evil purposes were designed, and for taking share in the criminality of those public funds and banks which he so patriotically deplored and deprecated?---How, for his crouching in adulation to that Sampson whose hair had been shorn off by the whore of England?---How, for his urging such a man to continue in that office which enabled him to do so much mischief, and who was all the time (as he says in that letter to Mazzei) imposing upon his country the substance as well as form of the British government? And why did he meanly, and for the needy purposes of private emolument, or the more mischievous purposes of a wicked ambition, put his hand to the vigorous and eloquent justification of that system of ingratitude to France which brought over the public opinion completely to coincide with our Executive against that virtuous republic and its minister? It would puzzle him and all the logicians of his party to give a satisfactory answer to those questions. Still less can he or they account for the persevering duplicity, which induced him to turn the most solemn and important act of his life, his speech to the Senate upon entering on his office of Vice-President, into an instrument of deception, and to stamp his character with an indelible brand of shame and reproach---with hypocrisy, with duplicity, and with fruitless falsehood, by bearing testimony to his attachment to that Constitution which he had always reprobated and opposed, and which in the above letter he censured

as being in form the same as the British Constitution---and by panegyrizing Mr. Adams who was a member, and a most conspicuous member too, of that very party which he had endeavoured to stigmatize with the appellation of an Anglo-monarchio-aristocratic party.---Here are the words of his speech.

"I might here proceed, and with the greatest "truth, to declare my zealous attachment to the "Constitution of the United States, that I consider "the union of these States as the first of blessings, "and as the first of duties the preservation of that "Constitution which secures it: [here the Lilliputian "ties are not to be meddled with:] But I suppose "these declarations not pertinent to the occasion of "entering into an office whose primary business is "merely to preside over the forms of this House; "and no one more sincerely PRAYS that no accident "[Adams's death] may call me to the higher and "more important functions which the Constitution "eventually devolves on this office. These have "been justly confided to the eminent character which "has preceded me here, whose talents and integrity "have been known and revered by me, through a "long course of years, and have been the foundation of a cordial and uninterrupted friendship between us: And I DEVOUTLY PRAY he may be "long preserved for the government, the happiness "and prosperity of our common country."

It has been long and frequently observed by moralists, that vice of every kind has a natural tendency to expose itself to detection, and an irre-

sistible impulse to enmesh itself in difficulties. Hypocrisy, for example, is always prone to the making of unnecessary false assertions, to the paying of gratuitous tribute of praise, and squandering with a lavish hand its professions of love and esteem, of respect and tenderness.---*Prius dementat quia vult perdere.*---A great dramatic master, well versed in the philosophy of the human heart makes the hypocrite of his play, Mr. Joseph Surface, entangle himself in shame and ruin, by his overweening appetency for useless simulation. If it were not for this flaw in bad hearts, it might be impossible to account for the folly of Mr. Jefferson's thus volunteering in the service of profitless hypocrisy. Without any other assignable motive, he professes his *zealous attachment* to the Constitution he had opposed and reprobated, and he devoutly prays for the long life and continuance in office, of the man whose accession to that office, he had with all the powers of cunning and energetic rivalry opposed, whom he had approvingly looked on and seen made the object of every attack, of every base and wicked art, which democratic invention, most balefully fruitful in such things, could suggest, to degrade his character and disappoint his views; and whom he had himself endeavoured to blacken in the eyes of the world, by the most artful, false and malicious libels. Searching through the black annals of democracy for topics of reproach against its principles and practices, nothing can be found to surpass this; unless it be that nauseous act of mean hypocritical mummery, with which, in the infatuation of overstrained cunning, he coped

the edifice which his whole life had been raising and consecrating to shame---his weeping over the grave of Washington. To the history of this deed of degradation, it would be doing injustice to give it in any other words but those of a cotemporary writer.

"Will the reader once accompany us to the sad-
"dened groves of Mount Vernon. Behold this same
"Thomas Jefferson at the tomb of Washington!---
"see him approach the hallowed spot surrounded
"by spectators! He kneels before the sacred dust!
"---He weeps aloud at the irreparable loss of this
"greatest, best, and most *beloved* of men!---Sobs
"choke his utterance!---He clasps his hands in
"token of pious resignation to the will of Heaven,
"and retires in silence amidst the blessings of those
"whose sympathy he had beguiled, by presenting
"his professions of sorrow."

This practical trope he performed in the view of Mount Vernon House---from which he could be seen by Mrs. Washington, who, in a mixture of honest indignation and disgust, declared that she could forgive him every thing but that.

It belongs to a future page of this work to exhibit to public view, the calumnies published against Mr. Adams, by a notorious hireling of Mr. Jefferson's, and to mark the mode by which the calumniators were rewarded. So much of their calumnies as belong to Washington, are taken off here, that the afflicting account may be closed forever. A man of infamous character, but of vigorous talents and some knowledge, of the name of Callender, had flown to this

country for refuge, from the laws of Scotland; where, had he remained, he would have been in all probability convicted and punished for high treason. Men of his description were the very men fitted for the purposes of Mr. Jefferson and his party, and in the patronage and purse of that gentleman, the fugitive found the claims of kindred hearts allowed. This man lost no time in attacking the Executive---and the great name of Washington met the public, associated with crime, and accompanied with the most foul scurrility. In a sketch which this worthy herald of Mr. Jefferson's heart and opinion, published respecting the western insurrection in 1798, he traduced the venerable father of the United States. Such things ought to be preserved---the following extracts therefore are given:

"Instead of this legal measure, President Wash-
"ington walked straight through the Constitution,
"through the privileges of the legislature, and the
"respective duties of his office."

"General Washington went to the Treasury, some
"future President may go to the bank---the one step
"will not be a jot worse than the other."

"He was at the head of an army for seven years
"and a half---and was several times beaten---his
"fame as a conqueror rests on the capture of nine
"hundred Hessians."

"If truth or reason, or the public service had been
"at all consulted, the House would have begun by
"asking the Executive why *he took from the Trea-*
"*sury Eleven hundred thousand dollars* without their
"leave, and in contempt of the Constitution."

In another work called "The Prospect before Us," the same hireling of Mr. Jefferson says:

"He (Washington) could not have committed a "more pure and net violation of his oath, or a "grosser personal insult on the representatives."

"By his own account, Mr. Washington was twice "a traitor---he first renounced the King of England, "and, thereafter, the old confederation. His fare-"well paper contains a variety of mischievous senti-"ments."

"Mr. Adams has only completed the scene of "ignominy which Mr. Washington had begun."

A more disgraceful picture of human nature has seldom been exhibited to the world, than that which stands portrayed in the few last pages. Happy would it be for the person who sits for it, and still more happy for his country, if the painter could finish the likeness without going further---If there were not other, and more deformed lineaments to be added to the piece.

The letter to Mazzei was not lost upon the government of France, but seems to have the very effect which the faction in the United States would wish it to have. "This interesting letter (said the Moniteur) "from one of the most virtuous and enlightened citi-"zens of the United States, explains the conduct of "the Americans in regard to France. It is certain "that of all the neutral and friendly powers, there "is none from which France had a right to expect "more interest and succours than from the United "States. She is their true mother, since she se-"cured to them their liberty and independence.

"Ungrateful children! instead of abandoning her, "they ought to have armed in her defence. But "if imperious circumstances had prevented them "from openly declaring for the republic of France, "they ought at least to have made demonstrations, "and excited apprehensions in England, that at "some moment or other they should declare them- "selves. This fear alone would have been suf- "ficient to force the cabinet of London to make "peace. It is clear that a war with the United "States would strike a terrible blow at the com- "merce of the English; would give them un- "easiness for the preservation of their possessions "on the American continent, and deprive them of "the means of conquering the French and Dutch "colonies.

"Equally ungrateful and impolitic, the Congress "hastens to encourage the English, that they "might pursue in tranquillity their war of exter- "mination against France. They sent to London "a minister, Mr. Jay, known by his attachment to "England, and his personal relations to Lord Gren- "ville, and he concluded suddenly a treaty of com- "merce which united them with Great Britain more "than a treaty of alliance.

"Such a treaty under all the peculiar circum- "stances, and by the consequences it must produce, "*is an act of hostility against France.* The French "government, in short, has testified the resentment "of the French nation by breaking off communi- "cation with an ungrateful and faithless ally. Until "she shall return to a more just and benevolent

" conduct, justice and sound policy equally approve " of this measure of the French government. There " is no doubt *it will give rise in the United States to* " *discussions which may afford a triumph to the party* " *of good republicans, the friends of France.*

" Some writers in disapprobation of this wise, " and necessary measure of the Directory, maintain " that in the United States the French have for " partisans only certain demagogues who aim to " overthrow the existing government. But their " impudent falsehoods convince no one, and prove " only what is too evident, that they use the liberty " of the press to serve the enemies of France."

Never was a plan in which so many persons, and of such various descriptions coöperated, carried on with such unity of design and harmony of concert, as that of the rulers of France and of their faction in America, to suborn the United States to their purposes. No further proof than that which appears on a transient view of the history of the two nations need be given, that the object of France at all times and in all her forms of government was to cut off all communication between America and Great Britain, in order to render the former entirely dependent upon herself. For that purpose she employed during the monarchy and since its fall, every artifice, however unworthy. Unable to cope with Great Britain in a fair competition of commerce, she used every device to supplant her; and convinced that the growing interests of the two countries would daily bring them closer together and strengthen both, she and her agents have

omitted no opportunity to destroy the intercourse that subsisted between them. To this grand purpose the machinations and exertions of all their partisans have been uniformly directed. While yet these States were provinces belonging to Great Britain, the restless ambition of France to effect that object kept the country in continual agitation. The war which the genius of the elder Pitt, the wealth of Great Britain, and the valour of its troops terminated with the expulsion of the French from Canada, first relieved the inhabitants of this country from the depredations of the French and their barbarous allies the Indians. During that war these generous friends acted in a manner which entitles them no doubt to the gratitude of which Mr. Jefferson and his party have spoken so warmly, and made so wonderfully instrumental to their purposes. The histories of England are replete with instances of it—the ephemeral productions of America are full of it. One instance will suffice, as it comes from Doctor Franklin himself—the grandfather of that very miscreant who aided the jacobin faction in their attempts to throw the country into the hands of France. In his newspaper published in Philadelphia, speaking of the capture by the French of Fort William Henry, the Doctor proceeds thus :

" The French, immediately after the capitulation,
" most perfidiously let their bloodhounds loose upon
" our people. Some got off; the rest were stripped
" stark naked. Many were killed and scalped,
" officers not excepted. The throats of the women
" were cut, their bellies ripped open, their bowels

"turned out, and thrown upon the faces of their "yet palpitating bodies. Their children were taken "by the heels and their brains beat out against the "trees or stones, and not one of them saved."

Doctor Franklin then observes, that "this cruel- "ty of the French is nothing new, for that they "massacred several hundreds of General Braddock's "wounded men—that they murdered their prison- "ers near Ticonderoga, and all the sick and wound- "ed of the garrison of Oswego, notwithstanding the "previous capitulation," and then he concludes thus: "To what a pitch of perfidy and cruelty is the "French nation arrived!—Would not an ancient "heathen shudder with horror, on hearing so hideous "a tale? Could the most savage nation exceed such "FRENCH BARBARITY? It is hard for an English- "man to kill his enemy that lies at his feet, begging "his life; but will not our armed men, in future, "be obliged to refuse all quarter?—The Lord knows "what French treachery will do---when shall we "have revenge?"

But since the jacobin faction and Mr. Jefferson speak of the gratitude due by America to France, for their supposed aid during the revolutionary war, it is necessary to historical truth to examine the assertion, and compare it with facts, in order to prevent its being any further converted into so potent an instrument of deception and imposture upon the American people.

Taking advantage of the treacherous disposition of their American partisans, and trusting to the credulity of a large portion of the people of America---

taking too, perhaps, their plans from the suggestions of the former, the French by their ambassador, M. Adet, in notes given into the American Executive, on declaring his functions suspended—advanced an assertion, that "THE FEDERAL GOVERNMENT sacrificed France to her enemies, or rather "looking upon her as obliterated from the map of "the world, forgot the services she had rendered it, "and threw aside the duty of gratitude, as if ingratitude was a governmental duty."

The war, last mentioned, ended in the expulsion of the French from the continent of North America. Still, however, they persevered in their design, and languished for an opportunity to execute it. They lost their footing on the soil, but they did not lose their hopes; for like the fiend of Milton, they looked at this happy people with malignant eye and evil purpose.

> Aside the devil turn'd
> For envy, yet with jealous eye malign,
> Eyed them askance.

Watching for an opportunity to effect a separation between the parent state and her colonies, with which the impolicy of a British administration soon furnished them, for a long time France hesitated; doubting whether it would be to her advantage to help America to independence. But national pride, and national rancour, overcame her politic scruples, and merely to humble and revenge herself upon a triumphant and prosperous rival, she concluded an

alliance with the revolted colonies, even at the moment that without her aid they had insured their independence, and given the fatal blow to the power of Great Britain in America. Some of their troops, indeed, landed, looked on upon what was passing, and returned home, big with the presumption of having helped America to freedom, and the false pretence of having *aided them to acquire their independence and shared their toils;* but whatever of real fighting they did, was for themselves, in taking the British West-India islands.

When the terms of peace came to be proposed, it was soon discovered that the real object of France was to transfer the States from Britain to herself; and in order to obtain a footing for that purpose, attempted to shut out America from the western country on one side, and the fisheries on the other. In a letter dated the 16th January, 1797, to the American envoy at Paris, President Washington has unfolded the whole truth respecting the nature and amount of the GRATITUDE due from America to France. A copy of that letter is on record, having been transmitted to Congress in a special message on the 19th of that month. From that high authority it appears that at the time France joined America, the independence of the latter was not only declared, but established, and that Louis chose to consider America independent because (to use his Majesty's own words) "His safety, the interest of "his people, invariable policy, and above all, the

"secret projects of the court of London impe-
"riously laid him under the necessity to do so."

"The secret projects here referred to," continues Washington, "were those of reconciliation with "America on terms which might satisfy the people "of that country, and produce reunion, and a coa-"lition for the purpose of falling on France." In fact, France only desired to put an end to the predominant power of England, and was guided exclusively by a view of her own interest. Far from wishing the independence of America, Vergennes endeavoured to cajole Franklin and Jay into a consent to treat with Great Britain, not as an independent nation, but on the footing of colonies. Franklin was sufficiently disposed to do so, but Jay peremptorily refused. Nay, the French court sent over a special embassy to St. James's to urge that government not to treat with the Americans but as colonists. But Mr. Jay either having intelligence of, or suspecting it, sent over an agent to counteract the Frenchman, and the consequence was, that contrary to the designs of France the British cabinet agreed to treat with the independent United States.

So much for the gratitude due to France for her revolutionary aid, and for the treacherous friendship of the monarchy:—What then is our gratitude to the republic of France—to the regicides? Let it be written on imperishable metal!

The first favour conferred on the union by her faithful ally and affectionate sister republic was another attempt, through her ambassador Genet, to raise

a rebellion in the heart of the country—to establish a standing army, in the pay and commission of France, in order to invade the territories of a friendly power—to commisson vessels of war, and to cruise upon a belligerent nation with whom we were at peace and in amity—to raise tumults and seditions against the government—to embody and array the people against their laws and magistrates, and throw the nation into anarchy---to insult in the most gross manner the chief magistrate, the darling of his country, and all his ministers---to divide the union against itself---to sever the people from their government, and to overturn the whole of its political fabric ---to assume for his country the sovereign power of levying war, and of capturing, trying and confiscating the property of friendly nations, even in our ports and harbours. But his masters, finding that they ultimately failed in their main project; that their ambassador became disliked, and that the people of America supported their government against him and against all the traitorous Americans who coalesced with him as voluntary panders of France, the tyrants who employed him affected to disapprove of his conduct, and pretended to recall him at the desire of the President, but nevertheless instructed him privately to remain at once as a spy upon the land, and as a standing insult to our government. What was worse, they afterwards deliberately approved of and justified all the offences he committed, though the most strenuous of his partisans of that day has owned him to be a firebrand.

Through the medium of Fauchet, who succeeded Genet, and who fell little short of him in arrogance, mischievousness and contumely to our government, the French rulers fomented the western insurrection. The intercepted dispatches of Fauchet demonstrate the flagitious purposes entertained by them on that occasion, and completely develope their intentions to disorganize the government. In them the ambassador expresses to the Convention his disappointment and regret that the rebellion had been quelled, and his apprehension that it would tend to consolidate the government.

All this time they affected the utmost attachment to America---they lamented the insolence and misconduct of Genet, of which they jointly with American traitors were the authors---they pretended, as has been said, to recall him for his attempt to appeal to the people, and they repealed their first decree for seizing American vessels. Malignant as their designs were, they still preserved the external appearance of friendship, till at length Adet threw off the mask, openly repeated the very offence for which Genet was pretended to be recalled, and made a direct appeal to the people against their government, threatening the country with the vengeance of the great republic, and openly interfering in the election of the chief magistrate.

The wiser men of America were convinced that the menaces of the Directory---their treatment of the ambassadors---their avowal that the reason for objecting to receive and treat with General Pinckney and General Marshall was their being of the federal

party---their retaining Mr. Gerry because he was in the party opposed to the federal government, and the hint of the minister Adet in his appeal to the American people, "LET YOUR GOVERNMENT RETURN "TO ITSELF, AND THE DIRECTORY WILL TEM- "PER THE EFFECTS OF ITS RESENTMENT"--- were all directed to their favourite object, the election to the presidential chair of a person more suitable to their purposes and more favourable to their machinations against the independence of the country; and they thought that they could perceive in the conduct of the rulers of France visible marks of instructions and counsel from America. The event of the election would decide the fate of America as it respected France. Could their favourite be placed in the chief magistracy, they would no longer be under the necessity of appealing to the people against their government.

The gratitude of America to France would be then amply displayed. The French rulers thought they had every thing to expect from an illuminist and deist by principle, a philosophist by profession, and a Frenchman in politics and morals---and that they had nothing to fear from his courage; his patriotism, or his integrity. They were right. Had Mr. Jefferson been elected at that crisis, America would long before this have shared the fate of Holland, Switzerland and Venice. Washington foresaw and avowed his persuasion that it was not war they wanted---but "THAT THEY HAD BEEN LED TO BELIEVE BY "THEIR AGENTS AND PARTISANS ON THIS SIDE

"OF THE ATLANTIC, THAT THE AMERICANS "WERE A DIVIDED PEOPLE---THAT THE PEOPLE "WERE OPPOSED TO THEIR GOVERNMENT, AND "THAT THE SHOW OF A SMALL FORCE WOULD "OCCASION A REVOLT---and that the uniform and "unequivocal expression of the determination of the "people in all parts to oppose them, would put an "end to their projects of attack."* In fact, the temerity of the French had rendered them too incautious---in many of their proceedings their purposes and expectations leaked out---and from those it appeared that they were not only sanguine in their expectations of establishing imperiously their influence in the American government, but that they were in some measure deceived into these expectations by the democratic party in this country, who persuaded them that the ratification of the British treaty, urged as it was by executive influence, was carried only by two votes. In a debate in the Council of Elders, on the subject of imposts, Dupont, a leading member, said, "Will not the Americans be dissatisfied to see "us treat their principal staple (tobacco) with this "financial severity and punic infidelity?

"At what moment are we inviting upon ourselves "these charges?---At the time when Washington "is retiring from public life, and his successor is to "be named as the depository of the executive power.

"*Two parties divide that republic.* One is attached to France by gratitude for her services; the

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* See vol. 1. p. 352.

" other is attached to England. The latter obtained " the advantage *by two votes only*, in the discussion " on the treaty of commerce with England; *and this* " *was owing to a political error of our own govern-* " *ment.*

" But the triumph of the English party, relative " to the treaty, has rendered the French party more " popular, and affords a strong hope of seeing *the* " *future President, the successor of Washington,* " *chosen from the citizens who are known as the* " *friends of France.*"

The influence of France upon American affairs is faithfully portrayed in this speech: " There is no- " thing American about them (said Dupont)---They " are divided into French and British. The French " party is rising---the British declining. Let us then " not interrupt this favourable progress of things by " a paltry tax on tobacco---*they are avaricious and* " *foolish*, and will be vexed at it. *Wait till the elec-* " *tion is over, and then you may do as you please, for* " *we shall have a President chosen from among our* " *partisans---we shall have Mr. Jefferson, and then* " *the counsels of America will be ours.* We ought " from experience to be more wise---Our party lost " the question on the British treaty by only two " votes---*and that was owing to a political error of* " *our own government*---that is to say, we were too " liberal of our menaces, and too retentive of our " gold." The French themselves demonstrated in this and in a variety of other ways, that their conduct to the United States was entirely governed by their determination to take the government out of the hands

of the federal party and place it in that of their creatures and partisans. As soon as the election of Mr. Adams extinguished that hope for the time being, and the strong manifestations of resentment of the American people at the conduct of France, convinced the Directory that they had been too sanguine in their expectations, the loud tone of the latter was suddenly lowered, and Talleyrand began to soothe the remaining American minister, Mr. Gerry, with pacific professions. But a circumstance of a more domestic nature occurred, which left no doubt whatsoever in the minds of the leading federalists respecting the views of France and its American faction, and the nature of the intercourse between them.

There resided in Philadelphia a restless, frantic and turbulent demagogue of the name of Logan---a doctor, but a man of the most unprincipled morals and absurd ambition. He had long been considered as an enemy to the federal government---was known to be of that faction of disaffected men who had kept up for years a correspondence with France, and had been particularly observed to hold frequent consultations with that man who, lost to every feeling of local patriotism and every sense of public virtue, had so long exerted all the faculties of his mind and all the weight of his powers, personal and official, to maintain the interests and extend the influence of France in America. Soon after the arrival of the memorable hostile dispatches from our envoys, it was observed that this same doctor Logan had sailed for France. The anxiety of the public mind was awakened, and conjectures of a most unsatisfactory na-

ture were formed respecting the object of his journey. At that time there was a crisis in the distemper which had so long hung upon the Union. Every spark of virtue and patriotism which lay smothered under the ashes in the American bosoms had blazed up into a flame. America was herself again:—and the projects of the French and their faction, together with the influence they had obtained, were like to be buried in one quick and common ruin. They were not slow to perceive this, and to see that if France did not speedily renounce her system of open coercion, all would be lost, and the hopes of the confederates on both sides of the Atlantic be crushed by the energies of the federal government, backed with the ardour of the people. From this dilemma the faction saw no means of extricating their common cause but one, and that was to dispatch from the body an envoy fully acquainted with the views of its leaders, and empowered to concert and carry into effect such schemes as would be most likely to answer their purposes. It was determined to do so, and the frantic and fanatical jacobinism of Logan pointed him out as the fittest person for the mission.

As soon as Logan's departure was ascertained, the object of his mission was directly comprehended. The intercourse between the leaders of the opposition in America and the rulers of the French republic, and their regular coöperation to overturn the federal government, and put the Union under men devoted to the service of France, before rather

more than suspected, were now clearly discerned. It was now demonstrable not only that such a wicked and dangerous faction existed, but that their chief formed a second cabinet and was usurping the executive powers and prerogatives of the nation. Like a flash of lightning the whole blazed upon the public sight. The Doctor's intimacy and late frequent communications with Mr. Jefferson, his zeal in the cause of jacobinism, his connexion with the leading members of the faction, his sudden and mysterious departure, his warm reception at Paris by Talleyrand, Merlin, &c. and even his going in the same vessel with Kosciuszko, who was known to be a French emissary, all carried instant and irresistible conviction to the mind that he had been sent by Mr. Jefferson as the ambassador of the body jacobin of America to the court of France, in order to endeavour to procure a cessation of those hostilities which had been commenced by the joint counsel and for the mutual benefit of the confederates.

Though it is highly improbable that such an ambassador could have produced such an effect, if war upon any reasonable grounds of war had been their intention, and though the energetic measures of government, by exceeding very much any resistance which the tyrants of France apprehended, would have been sufficient to deter them from following up their menaces, it is not unlikely that Talleyrand and Merlin cajoled the miserable minion of Mr. Jefferson with an assurance that the accommodation which the Directory were willing to enter into

was a concession to their friends in America; more particularly as they could not but perceive that their outrageous conduct had already impaired their interest in America; that perseverance in it would frustrate their views against that country; and that therefore they might as well make a virtue of necessity, and affect to concede willingly to their partisans the opposition, that which they dare not refuse to the federal government.

The arrival of Logan in Paris was in the usual time announced, and along with it a pompous account of his reception by Talleyrand, Merlin, and the Directory; and not long after a letter from himself appeared in the public prints, stating that he was about to return to America with dispatches for government which would be calculated to restore harmony between the two nations.

Whatever assurances the Directory gave of a pacific friendly disposition, their conduct continued to be not less marked with rapacity and injustice, and while every edict of the directorial tyrants conveyed some foul calumny and insolent aspersion upon the Executive, and ascribed the measures taken by it for the defence of the country, wholly to British corruption, they persevered in every act ruinous to the American commerce, and still seized and condemned American ships and cargoes.

On the whole of this critical business the President had hitherto taken a manly and decided part. His spirit, with the French outrages to aid it, had roused the pride of the nation, inspired it with a

just sense of its own dignity, and animated it to resistance. When the enormous power of France, and the appalling example of so many great European nations lying prostrate at the feet of the tyrants are duly considered, posterity will be at a loss to determine whether they should admire the courage and elevation of spirit which adopted the mitigated course pursued by Mr. Adams, or censure his not entering at once, as some of the best and wisest men in the Union wished, into immediate and unqualified war. To the dissolution of treaties, an active preparation of force by land and sea, and partial hostilities rather of a defensive than offensive nature, the Executive had resolved to confine its operations, and to leave to France the option of seeking accommodation or proceeding to open war. Even in this temperate but firm attitude of resistance, the national character attracted the admiration and respect of all Europe. The nation was boiling with rage, and ripe for glorious and magnanimous enterprise.

As the meeting of Congress approached, the temper of the President, and the tone of his mind, seemed to his friends to be still more elevated than in the former; and every wise man decided that the ensuing session would form the most important crisis in the affairs of the country, since it was the time when, if ever, the head of the French snake would be bruised, and that enormous monster the body jacobin be put down; and when all the evils which wild democracy, aided by the French faction, had spread over the Union would be com-

pletely extirpated. No one apprehended, or in the most remote degree suspected that the spirit of the President would be depressed or the vigour of his deportment to France in the least relaxed. The apprehensions of his friends and counsellors were indeed of a very opposite complexion, and on his return from Quincy to the seat of government they even suggested to him the expediency of inserting in his speech the avowal of a sentiment to the effect that after the repeatedly rejected advances of this country, its dignity required that it should be left with France in future to make the first overture, and that, if desirous of reconciliation, she should evince the disposition by sending a minister to this government, he would be received with the respect due to his character, and treated with, in the frankness of a sincere desire of accommodation. This suggestion was indignantly, and, as General Hamilton has asserted, intemperately, rejected by Mr. Adams, who declared that it was a sentiment which he had adopted on mature reflection, "That if France "should send a minister to-morrow, he would order "him back the day after."

Strange are the caprices of man—strange the fluctuations of his opinions---and not less strange and unaccountable than sudden and unexpected was the change which took place in the mind of Mr. Adams. "In less than forty-eight hours from "that intemperate sally, (says General Hamilton,) "the mind of Mr. Adams underwent a total revo-"lution." He resolved not only to insert in his speech the sentiment which had been proposed to

him, but to go further, and to declare that if France would give explicit assurances of receiving a minister from this country with due respect, he would send one. His ministers opposed this extension of the sentiment, as extremely dishonourable and dangerous. After the mortifying humiliation endured from France, the national dignity demanded that the resolution to leave to France the option of first making overtures, should not be departed from. The sentiment proposed to be introduced in the speech manifested a disposition on our part to purchase the friendship of France by the sacrifice of our honour. In the conduct of Mr. Adams hitherto, the people of the country thought they had a pledge of an administration formed on the model of that of Washington: but it was not perceived that there was likely to be as little resemblance between the manners of Mr. Adams and those of Washington as between the two persons themselves. Washington, great as he was, was convinced that he might profit by advice. As modest as wise, he consulted his ministers, listened with attention to their opinions, received them with respect, and even where he did not conform to them entirely, made use of them as lights to guide him in his own ultimate determinations. It is for the very purpose of aiding the judgment of the chief magistrate that he is allowed cabinet counsellors at the expense of the nation, and the very allowing of them, and permitting himself to choose them is a proof that the Constitution presumes he should consult them. Little men cannot brook advice,

great men seek it. The former, therefore, when they get into power, generally become the victims of low-minded intriguing flatterers, who not daring to hazard a sentiment of their own different from those of their patron, adopt his, however absurd or mischievous, and dignify the vile and humiliating act of assenting to his judgment with the name of "giving their opinions." Mr. Adams had in his cabinet the very same men of whose wisdom Washington had, so often and so fortunately for his country, availed himself. But Mr. Adams seems to have thought that to stoop to consult them, or be guided by their advice would be too violent an infringement on his dignity. They represented to him that the circuitous and informal overtures which had been made for reviving negotiations, were a very inadequate basis for the institution of a new mission: yet, without previously consulting any of his ministers, he precipitately nominated Mr. Murray an envoy to the French republic. The first notion which even his constitutional counsellor, the Secretary of State, had of the intended mission, was the nomination itself.

This conduct of Mr. Adams appeared the more inexplicable, because he was in possession of positive evidence that, plausibly as the French government professed a desire for accommodation, they really wished to evade it. Mr. Gerry was so well convinced of this that in a letter (20th July, 1798) to Talleyrand he as justly as pointedly thus exposed the boasted zeal of that minister: "You were the first,

" you affirm, to press seriously the negotiation : you " will agree with me that the merit would have been " greater, had the measure itself been feasible. You " frequently remind me of your exertions (to nego- " tiate) which I am disposed as much as possible to " appreciate, regretting at the same time their cir- " cuitous direction." He knew that the Directory was determined to postpone accommodation as long as they could profit by the pillage of piracy on American ships, and that that pillage was so outrageous, unjust and yet openly avowed that the justification and the reprobation of it were made the subjects of discussion in the Council of Five Hundred ; for at the very time that the French faction here were absolutely denying, concealing, glossing over, or conniving at the depredations of the French upon American commerce, there were members even in that banditti who exclaimed against such shameless improbity. The commissioners of St. Domingo wrote to the minister of marine, and an extract from the letter was entered on the journals of the Executive Directory, of the 5th June, to this effect : " *That having* " *found no resource in finance, and knowing the* " *unfriendly disposition of the Americans, and to avoid* " *perishing in distress, they had armed for cruising,* " *and that already eighty-seven cruisers were at sea ;* " *and that, for three months preceding, the administra-* " *tion had subsisted and individuals been enriched with* " *the product of these prizes.* They felicitated them- " selves that American vessels were daily taken, and " declared that they had learnt, by divers persons " from the continent, that the Americans were perfi-

" dious, corrupt, the friends of England, and that " therefore their vessels no longer entered French " ports, unless carried in by force."

" On reading this extraordinary state letter (ex- " claimed a member of the council named Pastoret) " we should think we had been dreaming; that " we had been transported into a savage country, " where men, still ignorant of the empire of morals " and of laws, commit crimes without shame and " without remorse, and applaud themselves for their " robberies, as Paulus Æmilius or Cato would have " praised themselves for an eminent service rendered " to their country. Cruisers armed against a friend- " ly nation ! ! Reprisals, when it is we ourselves who " attack ! Reprisals against a nation that has not " taken a single ship of ours ! ! Riches, acquired by " the confiscation of the ships of a people to whom we " are united by treaties, and whom no declaration of " war had separated from us! The whole discourse of " the commissioners may be reduced to these words: " ' Having nothing wherewith to buy, I seize; I " ' make myself amends for the property which I " ' want by piracy, which enriches me; and then I " ' slander those whom I have pillaged.' This is rob- " bery, justified by selfishness and calumny."

In a letter from Merlin, the minister of justice, to Mr. Skipwith, consul-general of the United States, which also stands in the journal of the Directory, he says, " Let your government break the inconceivable " treaty which it concluded on the 19th November, " 1794, with our most implacable enemies, and the

" French government will cease to apply in its own " favour the regulations in that treaty, which favour " England to the injury of France ; and I warrant " you that we shall not see an appeal to those regu- " lations in any tribunal to support UNJUST PRETEN- " SIONS." " Have I (exclaimed the same Pastoret) " read this rightly ? Unjust pretensions ! ! Could it " be possible that they should thus have been cha- " racterized by the minister who is himself their agent " and defender ?"

While the outrages of the French government were thus reprobated, even by some of its own members, they were defended by the faction in America, who put into the mouths of the Directory the justification alluded to by Merlin—that of Jay's treaty, while the truth was really known to be, that it was a mere pretext—and for its being only a pretext, there is the evidence of a man, an American by birth, but for some years a citizen of France, devoted to the French republic and intimate with her leading men. That man is Mr. Joel Barlow---a man of acknowledged discernment and talents. He had long resided at Paris, and well knew the views of the French government, and the motives of its conduct. He says, " That act of submission to the British govern- " ment, commonly called Jay's treaty, is usually " considered, both by its friends and enemies, as " the sole cause, or at least the great cause, of the " present hostile disposition of the French repub- " lic towards the United States. This opinion is " erroneous." He then enumerates the variety of matters which influenced the conduct of France.

But the most provoking and the most unpardonable of all the offences of the United States against France was not an act of the government, but an act of the people. The freemen of the United States, "the true Americans," dared to exercise their independent rights, and contrary to the wishes of the French government, and the endeavours and practices of its minister Adet, elected Mr. Adams to the office of President. On this Mr. Barlow further developes the character and principles of that government, and says, "When the election of ADAMS was announced "here, it produced the order of the 2d of March, "which was meant to be little short of a declaration "of war. *The government here was determined to "fleece you of your property*, to a sufficient degree "to bring you to your feeling in the only nerve in "which it was presumed your sensibility lay, which "was, your pecuniary interest." This is the democratic Mr. Barlow's account. But what was that feeling itself to produce? The answer is obvious---submission to the will of the French government. Thus Mr. Adams ought to have seen that the French government had formed a determination hostile to the hope of negotiation, and that "by always abstain-"ing from making specific demands of damages---by "refusing to receive our ministers---by various dila-"tory tricks and pretences evading negotiation---by "at length proposing to negotiate in a manner which "it knew to be impracticable, with the person who "they knew had no powers, and who, therefore, con-"stantly refused to negotiate, and in that way wholly "avoiding negotiation, it had no other view than to

" keep open the field for complaints and injuries in " order, by leaving them undefined, to furnish pre- " tences for unlimited depredations."*

" In this way (says Secretary Pickering in his Re- " port) *it determined to fleece us.* In this way it " gratified *its avarice and its revenge*---and it hoped " also to satiate its ambition. After a long series of " insults unresented, and a patient endurance of inju- " ries aggravated in their nature and unexampled in " their extent, that government expected our final " submission to its will. Our resistance has excited " its surprise, and as certainly increased its resent- " ment. With some soothing expressions is heard " the voice of wounded pride. Warmly professing " its desire of reconciliation, it gives no evidence of " its sincerity---but proofs in abundance demonstrate " that it is not sincere. From standing erect, and in " that commanding attitude, cowering it renounces " some of its unfounded demands."

Such was the aspect in which France and its counsels and intentions presented themselves to Mr. Adams when he appointed Mr. Murray envoy from the United States to that republic. He had some reason to regret the precipitancy of his conduct in this respect. There were many who could not for some time give credit to the report. No man had ever more grievously complained of the conduct of France than Mr. Adams himself, even since he ascended the presidential chair. The press had teemed with his expositions of the injuries of America, and the out-

* See the Report of the Secretary of State to Congress, 18th January, 1799.

rageous encroachments and acts of violence committed by France, and no man had been more bold and loud in menace than he had. It was known abroad that he had declared in the most solemn manner that if France were to send a minister he would order him back the day after---and this was, on the face of the public prints, matter of notoriety, having been authenticated by a document laid by him before Congress with the very last message to the House of Representatives, stating that the French had passed a decree for putting to death as pirates all Americans found on board ships belonging to the enemies of France; an atrocious decree, as lord Grenville very justly called it, unexampled in the annals of the world, and which had induced a determination on the part of the British ministers to protect those Americans that might be found under the British flag, and to revenge their death by the most rigorous retaliation on French prisoners. Mr. Adams had not only communicated this to Congress, but, for fear that Congress should erroneously reckon upon the decree's being suspended, he told them in his message, to remember that "the arret of the Executive Directory of the 2d "March, 1797, still remained in force; the third "article of which (said he) *subjects explicitly and* "*exclusively American seamen to be treated as pirates* "*if found on board ships of the enemies of France.*" There were few therefore even of Mr. Adams's enemies who could believe that he, having given this under his hand and seal to Congress, should in two days after send another minister to treat with the very power who had passed and still kept unrepealed such

a sanguinary decree. Many took it to be a calumnious fabrication circulated for the purpose of alienating the hearts of the President's friends from him, of destroying his popularity, and of disgracing his character in the eyes of all the rest of the world as well as of America---and the best of the federal prints explicitly declared its disbelief of it.

The President could not but perceive the effect which the appointment of Mr. Murray had upon both parties. The leaders of his own party were shocked and indignant at it---the democrats, as soon as they were assured of it, rejoiced with exceeding great joy. He had to lament the dissatisfaction and indignant expressions of his friends and, what was a source of a much more bitter chagrin and disgrace to him, he found his conduct applauded by the arch-jacobin print. In the Aurora, that public pestilence, appeared the following paragraph:

"Whatever sentiments men may entertain of the "President's attachment to English modes of go-"vernment, or to English connexions, every one "must applaud his appointment of Mr. Murray to "go to Paris."

The bustle occasioned by this unpropitious measure, in every place and every print, was noted by the President, who with sorrow saw that it was necessary for him to change his plan. That a negotiation which had once been thought of such importance as to require the united powers and address of three of the most profound and experienced statesmen in America, should now be intrusted to one man of very inferior abilities, excited animadversions of no

very favourable kind. Mr. Adams, therefore, instead of one, nominated three---Oliver Ellsworth, chief-justice of the United States; Patrick Henry, esq. late governor of Virginia, and the aforesaid Mr. Murray, and to the appointment he superadded a declaration that, though appointed, they should not leave the United States until unequivocal assurances should be given that they should enjoy the prerogatives attached to their high office by the law of nations, and that a minister or ministers of equal powers should be appointed and commissioned to treat with them.

This new fluctuation in the mind of the President, and this new arrangement in consequence of it, proved the undue precipitancy of the first appointment. In a business of such great importance, it marked a censurable instability or culpable rashness. Fresh assurances were given of the friendly disposition of the Directory, and of the envoys being treated in the manner prescribed; but before the envoys set out, intelligence arrived of another revolution in France. Here it was hoped that Mr. Adams would pause, at least till the new government should ratify the assurances given by their predecessors. On this occasion he declined consulting his ministers, who addressed him in a letter, submitting to him whether he had not better suspend the projected mission. But he kept his intentions to himself till he gave the envoys their instructions, giving as his reason for doing so, that he knew their opinions from their letter, and as he had irrevocably adopted an opposite one, he deemed it more delicate not to embarrass them with an useless discussion. As this mission

was in its consequences the most unpropitious measure that had yet been adopted, it demands more minute investigation, and is deserving of the particular attention of the reader. Indeed the wilful obstinacy with which the President excluded such men as Hamilton and Pickering from his counsel in the management of that business, demonstrated a conviction on his part, that the measure could not bear the scrutiny of their minds, and would disarm him of the excuse, inadequate as such an excuse would be, of having acted from involuntary error. The conduct of Mr. Adams upon that occasion, as well as the measure itself, must ever be considered as a blemish in his character, and an incalculable injury to the country.

Every man in the New-England States where Mr. Adams was most popular, jacobins excepted, was pointedly adverse to the Executive again supplicating the brutal tyrants of France. Most of the other States were equally averse to it. The wisdom, the virtue, and the honour of the country spoke but one voice, and that voice was decidedly against the fatal steps taken by the President, the character of whose conduct had before been so very different from that which was now complained of, that he was perhaps the last man in the Union from whom such a humiliating measure would have been expected. Those who wondered at the falling off, did not consider that the attitudes of climbing and crawling are the same.

The effect of the nomination upon the federal party was dreadful; "All the tenor of its soul was

"lost." From that time it ceased to be a party, and its cause and its consequence in the Union underwent a regular declension. No one doubted the integrity of Mr. Adams; but after the nomination of the envoys, no one was hardy enough to maintain the wisdom and policy of his schemes. Indeed, what policy can be conceived more weak and contemptible than to shut up every avenue through which the advice of his counsellors and friends could reach him—or what system of conduct more mad or dangerous than that of a government which, while assailed by a powerful enemy without, and a profligate faction within, to whose admonitions it would be death to listen, debarred itself from profiting by the opinions of its zealous adherents. Sad have been the consequences of this one act of pevish impolicy. The bitter cup of disgrace has been ever since held to our lips, and at this moment we are almost choked with the dregs of it. In the first part of Mr. Adams's administration the genius of independence had begun to revive; the country rose to life and action, and the demon of democracy was smote upon the head; our ships and properties were reconquered, and our fleets conveyed in safety from the grasp of the foe; but from that time the demons of avarice and insolence have hovered over the land, and blasted all our energies of thought and action.

Having thus far traced the proceedings of government with respect to the external relations of the country, it becomes necessary to return and attend to the leading internal regulations recommended

by the President and enacted by Congress. The first of those, in point of order, is the Alien Law. An act which deserving the highest praise was, of course, virulently censured by the French faction, and though approved of by the nation, while the people were yet alive to a proper sense of the insults and injuries received from France, and to the dangers that were to be apprehended from the intrigues of that tyrannical government, was afterwards the occasion of a great loss of popularity to the President, and a potent instrument in the hands of the opposition in bringing about a change in the administration, and placing the power and patronage of government in the hands of that bad faction whose ruinous and unprincipled conduct has disgraced the Union in the eyes of Europe and brought the country to the verge of ruin.

It has been already observed, that the people as if all animated by one and the same spirit with the President, cheerfully concurred with him in all the measures which he thought it expedient to adopt. With heart and hand, with lives and fortunes, they rallied round their chief magistrate, and presented to France, a resolute and formidable front. Still, however, the faction and its leaders existed, and being deserted by almost the whole of the people, were fain to affect the outward semblance of American patriotism. Of one class of men they were always sure; but those were not natives. The emigrants from Europe, chiefly those from France and Ireland, constituted a very numerous, and, considering their nature and character, a very formidable body of

malcontents, who were, on principle, hostile to the federal government—many of them, indeed, to any government at all; and considering the boldness and activity with which they had for several years proceeded in dictating political opinions to their newly adopted country, (in which country they were still aliens,) and the intrepidity and arrogance with which they interfered in state concerns, and arranged themselves on the side of France, it was reasonable to suspect, now that the two republics were advancing into a state of war, and that invasion might be expected to take place, they might be very dangerous to the country, or at least very troublesome, if not put under severe restraint. And this apprehension was increased by the current of emigration which set with every day with a more strong and copious tide from the other side of the Atlantic, and which deluged the country with persons, at all times of suspicious character and intention, but now more than ever to be suspected. The best basis of national strength, the most unerring source of prosperity to a nation, and the most certain security for its freedom and independence, is harmony in all its classes, unity in all its parts, unanimity in the sentiments and opinions of the various sections of the community, and congruity between the councillors or governing bodies, and the mass of the people. Congeniality of sentiment and similarity of views and opinions in the people are the legitimate strength of a nation. The French revolution, and the accursed doctrine propagated by the revolution harpies of France wherever they went,

all at once extinguished that harmony and unanimity in almost every country in the world, and thereby made the nations an easy prey to that all devouring despotism. The animosities of parties in free countries and their scuffles for power, were once considered as salutary, or at least innoxious to their freedom and independence, because the views of both were still bounded by home, and, whatever their hatreds or heart-burnings to each other might be, they both agreed in giving their hearts, their services and their passionate affections to their country. The doctrine of jacobinism extinguished all feeling for country and fellow-citizen. In America it produced the same effect upon the people, as in the 18th century the Reformation and its adversaries had done in the European nations. It divided the people against each other. The people were no longer the French, the British islanders, the Germans, the Italians, the Dutch, the Swiss, or the Americans, but jacobins, and anti-jacobins, who, whatever the country was to which they belonged, whatever the language in which they spoke, or whatever the mode of faith in which they worshipped, or pretended to worship, were divided into two sects, jacobins, and anti-jacobins; the former of which, coalescing together and abandoning their country, were ready to sacrifice their opposing fellow-citizens, rallied round their doctrine alone, and waged a war of extermination against all who opposed their sanguinary and fanatical purposes; and all, whether they were British, German, Irish, or American were affianced to

France, and ready to hazard every thing and to destroy every thing in that warfare.

The disturbances in Europe, and particularly the sanguinary struggles in France and Ireland, with the disaffection of a small portion of the people of England, Scotland, and other countries, had filled America with multitudes of those jacobinic malcontents. The oppressors, as well as the oppressed, fled from a carnage which every man feared might reach himself. The peaceable orderly citizens fled from the rebel and murderer, and the rebel and murderer fled from the bayonet and the gibbet. But the number of the former was inconsiderable, while that of the latter was immense, even beyond calculation. The great mass of the fugitives therefore, were the very worst offscourings of the European society; the dregs and slough of the land, which being worked off in the general fermentation, corrupted and polluted the population to which they came, leaving that from which they separated in a greater state of defecation and purity. From them America has derived an accession of moral and political corruption which will be felt in the most vital parts of her institutions and manners for ages to come.

With the motley multitude who arrived in this way, a variety of principles were imported, all of them in extremes, and therefore at variance with those upon which the American Constitution was formed. Royalists came full freighted with toryism, and the malcontents of their respective countries with democratic wildness; or worse, with incorrigible jacobinism. Of the first of these, so few

in number emigrated that their principles, even if they were in themselves positively pernicious, or if they were infectious, which is far from being the case, could do no very extensive mischief. But the great multitude who migrated were of the other class: unfortunately, indeed, they were rather virulent jacobins than democrats; men whose principles being unhinged in Europe, and who being either disgusted with regular government, or by criminality and treason rendered liable to punishment, looked back with trembling and hatred to their own country, and considered this as a vast theatre on which they might play the parts most congenial to their disposition without interruption or chastisement; as a jacobin repertory, or asylum, where villany of every kind might safely repose, and fraud spread its snares with impunity—where knavery was sure to thrive, where, according to the doctrine of the new school of morals and philosophy, as laid down by Godwin, the rights of man were coextensive with his ingenuity to do mischief and his power to plunder and cheat, and where to restrain violence and rapacity would be considered as an infraction of the principles of the freeman and the citizen.

From the multitude of strong purposes and motives which instigated so many emigrants to fly from their native homes and kindred and seek for refuge in a distant and unknown land, among strangers and aliens to their hearts and affections, there naturally arose an infinite diversity of principles, which had a direct tendency to produce, however slowly or insensibly, fatal effects upon the constitution of the general mind;

and in the course of their operations, gradually to transfuse into the wholesome blood of the commonwealth a deadly poison, killing all the virtues on which the public happiness and security depended, shaking the fabric of the state and unsettling and deranging the regular established order of its affairs.

As the far greater part of those newly acquired persons had emigrated for the purpose of escaping from the laws of the land they had left, some for capital crimes, and some for minor offences; or else to avoid the miseries of privation and poverty, they were in general not only needy but profligate and ignorant: habituated to turbulence and sedition, practised in insurrection and rebellion, and too frequently inured to bloodshed. Just liberated too from a state of vassalage, and at once transferred from galling servitude to a country where government rarely makes itself felt by penalties, where the mildness of the institutions makes coercion little known, they thought themselves at once cleared from all restraint, and acted with the audacity and intrusiveness natural to men in such a condition. By education and inveterate habit unfitted for participation in the blessings attendant upon the state of things in which they suddenly found themselves, and accustomed to consider every government, (because many of them found theirs so,) a painful, harsh and unrelenting tyranny, they concluded at once that there existed no sovereign restraint, because they experienced no pains, penalties, or tyrannical exactions—and looked upon the unrestrained freedom they saw about them, the lenity of our laws, and the mildness of our institutions not as

the result of a young and vigorous system, but as the effect of premature decrepitude, and of a constitution too feeble to hazard the exercise of coercion. Not as a system springing out of sound and moderate principles of liberty, but as one in which the strength of licentiousness had triumphed over the struggles of an enfeebled government. In a word, they imagined that in America they had found ready settled and organized to their hands exactly such a state of things as that to which they had hoped and rashly endeavoured to reduce their own respective countries—in which justice kneeled in submission to the mob with her sword lying broken at their feet, and the laws reluctantly yielded under the specious semblance of lenity that which they were incapable of withholding by force. Instructed by pernicious jacobinical demagogues at home, in such parts of the philosophical cant of the day as served the purposes of those atrocious incendiary misleaders, and crammed to the very lips with the hacknied maxims of misrule, which they had learned by rote, without understanding their meaning or extent, they treasured them up not as articles of speculative doctrine but as rules of practical conduct—imagined themselves to be at once joint sovereigns of the land in fact, because in the hornbook of the Rights of Man they had read about the Sovereignty of the People; and taking for granted as practical truths all the absurd and pernicious chimeras of metaphysical abstraction, each ignorant renegado carried over with him in his own individual person, a walking plague, an active and a malignant national pestilence.

For some time before they had begun to pour into the United States, a nest had been prepared for their reception. The policy of France, which even during the monarchy, had directed all the undermining forces of intrigue against the independence of this country, and in order to injure a rival, had systematically endeavoured to cut off all intercourse between the old mother country and the new republic, continued to actuate the succeeding councils of that country, and to be maintained by the regicides and revolutionary rulers, with increased ardour and inflamed virulence.—England standing in the breach as the champion of the world against the infernal plans of France and the ruinous outrages of jacobinism, became the object of universal attack and hatred to the jacobins, all of whom as well as all who were on other accounts her enemies rallied round the standard of France. With those, it was natural to expect that the disaffected Irish would be found to associate; in fact, the latter were so exasperated by an exaggerated sense of wrongs, some of them real, some fictitious, that they not only gave their hearts and hands to France, but would have joined the hosts of hell itself against England, if indeed devils can be more malignant than jacobins, which may well be doubted. The French having formed a regular plan for organizing an active and effective force within the United States, they sought for and they found there, as they had in every country on the continent of Europe, miscreants in abundant numbers, willing to enter into and subserve their designs. They had every where corrupted the ambitious leaders with a pros-

pect of power, and bribed the needy and desperate with the promise of rapine.---But there being in America less poverty than in other countries, and less temptation from ambitious views to the guilt of treason and patricide, their proselytes would have been in that country comparatively inconsiderable if the deficiency had not been made up by imported treachery---by men who neither had nor could be expected to have any attachment to the land, any interest in its prosperity and independence, or any zeal for its national honour. These, while they added to the physical force of insurgency, swelled the roar of tumult and sedition, and increased the mass of disaffection, contributing to spread the contagion by their exhortations and example, and to give confidence to treason by rendering it more formidable and irresistible. As the nations of Europe became too hot for the jacobins, they moved off to America, and there hoisted their standard and established their head-quarters. The indiscretion of Genet, and the detection of Fauchet, by the intercepting of his dispatches, opened the eyes of a vast number of foolish well meaning men, who at the instigation of Mr. Dallas and other jacobin leaders, had joined the democratic societies, and now withdrew from them; and it is to be recorded to the honour of America that the infamous faction every day declined in American support, as it increased in foreign. The French agents had therefore to depend upon instruments more fit for their purpose than the mere Americans. Meanness exasperated to malignity; slavery just let loose from its fetters and panting for revenge; villany desirous to mend life

by any means, or to get rid of it; poverty hopeless of relief but from dark and desperate designs---these were the instruments which the French looked for, and which they found in the emigrated British and Irish rebels.---While wisdom and American patriotism presided over the country, men coming to it with no other than these recommendations were kept in salutary check. The United Irishmen who had come here with the sanguine expectation of indulging in systematic anarchy, and of living a life of laziness and fraud, were disappointed and self-deceived. They found the government resolutely averse to their abominable principles---they found property protected by laws, and civil order established too firmly to be assailed successfully by such force as theirs.---Thus baulked and disappointed, meeting from the best Americans contempt and abhorrence instead of condolence, it is no wonder that they felt no friendship, no fidelity or allegiance to America, after having deserted their own native country, or that they should enrol themselves openly in the service of France, to which they had been so long before in principle devoted. The lower classes sunk for a while like a mass of inert physical matter in helpless inaction to the bottom, but the traitorous agents and professional anarchists---the men who aspired (however meanly) to letters, who pretended to learned professions, and to class with men of knowledge, or hoped to derive influence from talents---the jacobin authors orators and declaimers, flew at once to the press and the tribune, and under the very eye of government, dealt out their French poisons to the people,

and coöperated with the gallic faction, its agents and partisans in spreading the flames of sedition, and in exciting, organizing, and giving directions to the great physical force which followed the same fortunes with themselves, and grew up to such a height in boldness as well as wickedness of design that every wise and honest man in the community thought them too dangerous to be left to the unrestrained pursuit of their purposes, and wished them to be checked in time.

In the year 1797 the United Irishmen who had flown from justice at home and taken shelter in America, formed themselves into a body for purposes which it is demonstrable from the words of their own compact had no relation at all to Ireland, which evidently were intended for America alone, and which appear upon their own shewing to have amounted to a treasonable conspiracy against the peace, order, government, and independence of America. To a proper comprehension of their plans, their own declaration, and constitution as they called it, are indispensably necessary. They were as follows

"*Declaration and Constitution of the American Society of United Irishmen.*"

"DECLARATION.

"Six hundred years have passed since division and fraud reduced Ireland to colonial subserviency: the division of her people has ever since subjected

them to the lash and the goad of a foreign tyranny---a tyranny more odious than Asiatic despotism.

" In our day and generation we have seen and we have felt. It is not necessary, there is not now time coolly to count over the long black catalogue of her baleful wrongs. There is not now time to argue and complain---THIS IS THE TIME TO ACT---to act with energy we must act with union. Irishmen are united at home ; we will not be disunited abroad.

" Our love for freedom has not been lessened by what we have experienced of its effects, or for Ireland by our distance. Under the sacred influence of devotion to THE UNION, LIBERTY AND EQUALITY OF ALL MEN---we gladly embrace the solemn ties by which we wish to be bound to one another, and hereby form ourselves into an association under the name of THE AMERICAN SOCIETY OF UNITED IRISHMEN---adopting the following

" CONSTITUTION.

" *Section* 1*st.* That ALL SUCH PERSONS AND SUCH ONLY---shall be eligible to this Society of United Irishmen, AS SHALL HAVE SUFFERED IN THE CAUSE OF FREEDOM ; OR WHO BY THEIR ZEAL FOR THE RIGHTS OF MANKIND---shall have rendered themselves distinguished and worthy of attachment and trust.

" *Sec.* 2*d.* That no person shall be proposed for admittance but by a member in his place.

" *Sec.* 3*d.* That no proposition for the admittance of a member shall be received, unless it be seconded by another member present; and that it shall likewise be necessary for the proposer and seconder to vouch for the moral character and CIVISM of the person proposed; in defect of which no election shall take place.

" *Sec.* 4*th.* Members shall have the privilege of proposing, or seconding the proposal of candidates in any section as well as that to which they belong.

" *Sec.* 5*th.* A candidate proposed agreeable to the 2d 3d and 4th sections shall not be balloted for until the next meeting after that in which he has been proposed unless known to two-thirds of the members present, (two black beans to reject without a reason and one with reasons); but upon his election he shall be immediately admitted under the following forms.

" *Sec.* 6*th.* Before a person elected shall be considered a member, the president shall put to him the following questions: an affirmative to the 1st 5th and 6th and a negative answer to the 2d 3d and 4th shall be indispensable to admission as such.

" *Sec.* 7*th.* 1st. Do you believe a free form of government and uncontrouled opinion on all subjects to be the common rights of all the human species?

" 2d. Do you think the people of Ireland are in possession of these rights?

" 3d. Do you think the government of Great Britain ever was or is now disposed to acknowledge or assent to the freedom of Ireland?

" 4th. Do you think that Great Britain ought of right to govern Ireland?

" 5th. Are you willing to do all that in you lies to promote the emancipation of Ireland and the establishment of a republican form of government there?

" 6th. Are you willing to bind yourself by a *solemn obligation* to the principles you have acknowledged?

" *Sec. 8th.* That upon the candidate answering these questions as required by the 6th section, the following shall be administered as a test, all present standing.

" TEST.

" I, A. B. in the presence of the Supreme Being, do most solemnly swear, that I will, to the utmost of my power, promote the emancipation of Ireland from the tyranny of the British government. That I will use the like endeavours for increasing and perpetuating the warmest affection among all religious denominations of men, and for the attainment of LIBERTY AND EQUALITY TO MANKIND IN WHATEVER NATION I MAY RESIDE. Moreover, I do swear that I will as far as in me lies promote the interest of this and every other Society of United Irishmen, and of each of its members; and that *I will never*, from fear of punishment or hope of reward, *divulge any of its secrets given to me as such.*

" *Section* 9. That the TEST of this Society, THE INTENTION OF THIS INSTITUTION (in all other

respects than as a *social body* attached to freedom) be considered as SECRET AND INVIOLABLE in all cases but between members and in the body of the Society.

"*Section* 10*th.* That nevertheless a member of the Society shall not be considered as divulging its secrets, who shall propound to persons disposed to become members, the sense of the six propositions which precede the Test."

This instrument demands much more consideration than at first view it seems entitled to. It carries on the face of it irrefragable evidence of a mischievous design against the Constitution and government of the United States. The first impression that the mind receives from a cursory perusal of it is, that the purpose of the institution was to collect together into a mere social body a number of Irishmen, united to each other by mutual sufferings in the cause of asserting their country's freedom and independence, in order to keep in commemoration, and, if occasion should serve, step forward, to effect its liberation from the tyranny of Great Britain. But that impression is completely effaced when the terms of the writing are considered with the least attention. In the first place the declaration expresses their devotion to the union, equality and liberty of all men---and the first section extends the capability of admission into the Society to all such persons as shall, according to their ideas, have suffered in the cause of freedom, or shewn their zeal for the rights of mankind :—In other words, they open the doors of the Society to those, and those only, who have committed or conspired

treason, insurrection or rebellion against some established government or other, no matter in what country or under what circumstances---English, French, Germans, Spanish, Americans---all are admissible, provided they can prove their title to it by having merited a gibbet. Here Ireland is clearly abandoned as a particular object of their association; and as the circumstances of their situation confine their sphere of action to America, it is evident that the purposes of their association were to be effected and operate upon America alone, and when in the Test, they speak of the liberty and equality to mankind in whatever nation, and in the first section, of admitting all who have suffered, &c. in the cause of freedom, they obviously allude to the discontented and factious men of all nations, living in America. This is a copy, with enlargements, of the qualification clause of the Jacobin Club at Paris, from which this Society borrowed the idea. Besides, the Test itself carries the object out of Ireland and fixes it in *any nation where the candidate for admission may reside.* But this is not all---What says the Declaration?---"THIS IS THE TIME TO ACT." What had men residing in America to do at that time with Ireland? ---Nothing. What was particular in that time touching America?---Why, France had insulted the envoys, and Adet was putting his writings out to influence the approaching election. Wherein were they to act?---The writers of that Declaration, if asked what they meant by acting, if they did not mean joining in an expected civil commotion, would be puzzled for a reply.

The ninth and tenth sections provide for keeping the proceedings of the society secret and inviolable. Could there be imagined any stronger proof of the criminality of their purposes? The members may give out that the institution is a social body, attached to freedom---(see section 9th)---but of the real intention of it, or of the Test Oath, they must not disclose a sentence. If their intention were merely to act in favour of Ireland against Great Britain, why all this caution and secrecy? Why conceal the oath, or why conceal the intention? respecting that, as much was known before they fled from Ireland as could be learned from any proceedings to which they could have recourse in America. On this point, they found it so necessary to keep concealed, that the member to be admitted was not to have any more than the six first sections of the constitution disclosed to him till he had taken the oath of secrecy. Then, but not till then, the intention of the society was to be revealed to him as an inviolable secret. A test of secrecy is the indubitable proof of a criminal conspiracy---*a social body* requires no such Test. Like the Jacobin Club of Paris, they discarded the christian religion in the Test, and were to swear by THE SUPREME BEING---and like that Club they had two creeds, one to amuse the public, and another which for a long time was known but to the members.*

By a reference to the written constitution at large,† and particularly to that part headed with the words

* See Playfair's account of the Jacobin Club.

† See Appendix.

"Enlarged Organization," the reader will be able to form some estimate of the extensive mischief which this Society was calculated to produce, if it had not received a timely check. He will there find abundant proof that though the head was stationary in Philadelphia, the body and the limbs extended over the whole Union, and that its organization was not less artful nor less capable of producing destruction than its parent, the Jacobin Club of Paris. Of its numbers a conjecture may be formed from the admissibility into any section of it, of every restless and seditious person, of whatever country, and from the well known fact that the United States had become the refuge of ninety-nine hundredths of the factious and discontented from all parts of Europe, particularly from France, Great Britain and Ireland---those, too, trained up in the school of the rights of man---in sedition, conspiracy and rebellion, and bearing to the existing government of America no less hatred than they before did to their own. The French alone in the United States amounted to above thirty thousand, great numbers of whom were put out of the reach of any alien law by admission to citizenship. In Philadelphia alone the Society soon grew so numerous that the African school where they first met could not hold the members. Aware that an overgrown assemblage of people might excite attention, alarm the magistracy, and be too unwieldy for any active purpose, it was part of their plan, when a section of the Society amounted to a certain size, to separate, and from the detached parts to form new sections. In order to enable them to unite their efforts and keep

them in activity, the sections in every State were to send delegates to form a state committee---and those state committees again were to appoint delegates from among them to form a GENERAL EXECUTIVE COMMITTEE, and in this diabolically artful manner, the whole force was brought to a point.

THE GENERAL EXECUTIVE COMMITTEE kept up a constant communication with the state committees; and from it, through them, the whole body and all its parts received its directions how to act. Regular returns were made to it of the names, residence and occupations of the persons enrolled, by which means it, and it alone, was at all times apprized of the strength of the body, and in what particular parts that strength chiefly lay ;---such was the facility and certainty of their intercourse. Nor were their means of acting with effect and promptitude less adroitly provided for. The general executive committee having devised its plans, dispatched its orders to the state committees---these communicated them to the sections---and the sections again, through their committee of secrecy, to their sub-sections. Those *sub-sections* consisted of only *eight* men each, all *living near one another*, and one of these eight was to have charge of the other seven like a commissioned officer, and was to WARN THEM IN CASES OF URGENCY.

It is asserted by the illustrious author of " Letters " on a Regicide Peace," that there were at the time he wrote, (1796,) only eighty thousand incorrigible jacobins in England. And he follows the assertion by saying, that if he aimed at the total overthrow of a kingdom, he would not wish to be encumbered

with a larger body of partisans. By their spirit of intrigue, and restless, agitating activity, they are of a force far superior to their real numbers, and have the means of debauching and intimidating those who are sound, as well as of adding to their force large bodies of the more passive part of the nation. Now, as there were, of French alone upwards of thirty thousand in the United States, if we take the disaffected, seditious Irish at only fifty thousand, which is greatly underrating them, there was a body equal in number to that which the greatest statesman of his day considered as sufficient to overturn the government of England, organized and disciplined, ready for any civil commotion that might arise, to join at a day's warning, either the side of rebellious Americans, or an army of hostile invaders from France, for the overthrow of the government. And that this was their purpose, every one must be persuaded; else the provision to WARN THEM IN CASES OF URGENCY meant nothing. No case of urgency could arise in America for overturning the British government in Ireland. From the whole, then, it results to as perfect certainty as any mathematical demonstration can produce, that the AMERICAN SOCIETY OF UNITED IRISHMEN was formed for the express and premeditated purpose of aiding and effecting the villanous designs of France against America. Alone, they could hope to do nothing but fruitless mischief against the whole American people. Alone, they never could be able to support their current expenses. An inspection of that part of their constitutional regulations which related to their

finances, will shew that the money they were to collect from the members was barely sufficient to defray the charges of their meeting-rooms. On the other hand, their printing, their copperplate engravings, the time and travelling expenses of their several delegates, all of which was estimated to amount to forty thousand dollars a year was to be paid, was actually paid, and certainly could not have been paid, but by the same hand which paid, and still pays the traitorous presses of America, that is to say, the hand of France. It was observable too, that the foundation of this society was laid immediately after the arrival of Napper Tandy at Paris from New-York, had been announced in America.

All this was in the eye of government. The President had full information of it; and he very well knew that if an invasion of our coasts by the French should take place, (and what was to hinder an army from landing or marching from Louisiana or the Floridas?) the united Irish society troops would be ready to join them. He was aware that in the midst of the general panic, the whole of them would be put in motion; that as they proceeded along they would collect mobs of the ignorant and seditious, and openly oppose, thwart, obstruct, or secretly betray, just as occasion should require. Thus circumstanced, he felt it his duty to recommend to the Legislature to consider the subject, and make such ample provisions against the apprehended danger, as they in their wisdom should think expedient. In the course of the session therefore, Congress enacted laws investing the President with

power to check the dangerous proceedings of aliens. The first of these after being minutely investigated and warmly opposed by a few of the incorrigible men of the faction, passed both Houses, and on the 18th June, 1798, received the assent and signature of the President; and the second, on the 22d of the same month. By the first, it was, amongst other matters, enacted that no alien should become a citizen, unless he should have declared his intention to that effect, five years at least before his admission, and at the time of his application declare and prove to the satisfaction of the court that he had resided within the United States fourteen years at least, and within the state or territory where such court was at the same time held five years at least—provided that such alien was not the native of a country at the time at war with the United States. It also enacted that every alien coming into the United States should, within a stated time after his arrival, give in a report thereof to the collector or some other officer, together with his, or her sex, place of birth, age, nation, place of allegiance, condition or occupation, in order to be registered, under the penalty of two dollars. The second empowered the President at all times during its continuance to order all such aliens as he should judge dangerous to the peace and safety of the United States, or as he should have reasonable grounds to suspect of being concerned in treasonable or secret machinations against the government, to depart out of the territories of the United States. It empowered the President to grant to aliens licenses to

* See Att'y's Note on the Alien Law

remain in the country during his pleasure, and subjected such aliens as should remain without such license to imprisonment for a term not exceeding three years, and forbid them ever after to be admitted to the rights of citizenship. It also gave to the President the power to require aliens to give bonds for their good behaviour, and enacted that every master of a vessel arriving in the ports of the United States should report to the custom-house in writing whether he had any aliens, and if he had, to specify their names, places of nativity, &c. under the penalty of three hundred dollars.

As these laws tended to diminish the influence of the French faction upon the public mind, and to defeat the purposes of the jacobin agents, and the partisans of France, they and their authors were attacked with all the virulence and scurrility of language which vulgarity could lend to disappointment and rage. The Executive was accused of entering into the views of Great Britain, and of having even servilely copied her acts of despotism. In execution of the act, a vessel with passengers from Ireland was said to be driven away from a port of New-England, and the democrats, who never cared whether what they urged was founded in truth or not, roundly asserted that the alien law was dictated by the British government, and that this severe and over-rigid execution of it was a mere plan to please the ministers of that country. The constitutional power of the Congress to make such a law was denied, and the investing of the President with such an extraordinary power was censured in as strong terms

of expression as words could supply. The conspirators whose purposes of disorganization were frustrated by the bills, and all those who expected soon to reap the reward of overturning the government and giving France an ascendancy in the country, employed every art to inflame the people at large against the provisions of the acts, and to mark their reprobation of them by hostility and practical opposition. Nothing can be imagined more violent than the clamour raised upon the occasion by the whole of the body jacobin. Those who attacked the law with greater temperance, objected that the power of sending alien friends out of the country was not vested in Congress by the Constitution—but to this it was answered, that the fourth section of the fourth article of the Constitution did impart that power, since it ordained that "The United States shall guaranty "to each State in the Union a republican form of go- "vernment: and *shall protect each of them against* "*invasion.*" To discharge this duty of protection the United States were bound not only to repel invaders after having entered the territory, but to prevent their entering; and the means necessary for that were to be decided by Congress. Invasion, however unsuccessful, was a dreadful evil, and the probability of invasion was diminished by a measure which enabled the Executive to relieve the country from men who would otherwise be in the country prepared to coöperate either as spies or soldiers with the invaders. Without the power of removing aliens there could be no sovereignty; the exercise of that power

was inseparably incident to the nation, and in whose hands should it reside if not in those of Congress, the representatives of the nation? *Salus populi suprema lex*—the safety of the people was the paramount law, and the safety of the people required it.

None exclaimed more loudly against the law as unprecedented than the Virginians, yet in their own State a law to the very same effect had for six years past been in force. In 1792, a law was passed in the Legislature of that State, authorising the Governor with the advice of the Council of the State to apprehend and secure or compel to depart from the Commonwealth all suspicious persons being the subjects of a power at war with us, or from whom the President of the United States should apprehend any hostile designs. The alien law differed from that act of Virginia, only in the former being less arbitrary than the latter: both were alike constitutional.

It was a vile misrepresentation, or a stupid mistake, to suggest that the power exercised by Congress in this act extended to our citizens. A citizen is a party to the social compact, which has conferred upon him rights of which he may not be deprived: but an alien is not so; nor could a citizen by any construction come within the meaning of the law, unless he forfeited those rights by some act of his own. The effects of the law were soon perceptible, for a vast number of French spies, emissaries, and others, and among them the notorious Volney, conscious that they came within the purview of the law, took flight, and relieved the country of their insidious and dangerous agency.

The other law, which struck a deadly blow at the power and influence of the French faction and conspirators, was an act for the punishment of certain crimes against the United States; generally known by the name of the sedition law, or, as the faction denominated it, "THE GAGGING ACT." This enacted that "If any persons should unlawfully combine or conspire together, with intent to oppose any measure or measures of the government of the United States, directed by proper authority, or to impede the operation of any law of the United States, or to intimidate or prevent any person holding a place or office under the government, from undertaking, performing, or executing his trust or duty, and if any person or persons should counsel, advise, or attempt to procure any insurrection, riot, unlawful assembly, or combination, whether such conspiracy, threatening, counsel, advice, or attempt, should have the proposed effect or not, such person should, on conviction, be punished by a fine not exceeding five thousand dollars, and imprisonment during a term of not less than six months, nor exceeding five years, and be holden at he discretion of the court to find sureties for his good behaviour in such sum, or for such time as the court might direct."

And further enacted, that "If any person should write, print, utter, or publish, or cause, or procure to be written, printed, uttered or published, or assist in writing, printing, or publishing, any false, scandalous, and malicious writing, or writings against the government of the United States, or either

House of the Congress of the United States, or the President, with intent to defame the said government, Congress or President, or to bring them into contempt or disrepute, or to excite against them or any of them the hatred of the people or to stir up sedition in the Union, or to excite any unlawful combinations therein for opposing or resisting any law of the United States, or any act of the President done in pursuance of any such law, or of the powers in him vested by the Constitution of the United States, or to resist, oppose, or defeat, any such law or act, or to aid encourage, or abet, any hostile designs of any foreign nation against the United States, their people or government, such person, on conviction, should be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years."

And it was further specially provided, that "If any person should be prosecuted under that act for the writing or publishing any libel as aforesaid, it should be lawful for the defendant to give in evidence upon the trial in his defence, the truth of the matter contained in the publication charged as a libel, and the jury should have a right to determine the law and the fact under the direction of the court as in other cases." This act was to continue in force till the third day of March, one thousand eight hundred and one.

Never was there an act in which the good of the country for which it was made, was better consulted than in this; and none but deliberate predetermined offenders could have any wish to prevent its passing.

The western insurrection and the mischievous consequences which attended it, demonstrated that an act of the kind was necessary to the conservation of the public peace and the security of government. Had such an act been in existence at the time of the first manifestations of tumultuous intentions in that country, the nation would have been spared the disturbance, the expense, and the reproach consequent to that abominable affair. The clause enabling the accused to give the truth in evidence, and the jury to decide upon the law and the fact, marks the whole act with sound patriotism, and integrity. It is indeed that for which Mr. Fox and the whig party had for so many years successively struggled in England, and at last effected by the aid and concurrence of Mr. Pitt, while minister. This clause put an end at once in the United States to the doctrine held by Lord Mansfield, that truth is a libel, a doctrine against which it has been part of the trade of all the high-flying pretended patriots in England and America to declaim---but which was afterwards revived and acted upon by Mr. Jefferson's judicial agents as soon as the influence of his party contrived to take the act out of the way, soon after his accession to the Presidential chair.

Against this law a loud and violent clamour was raised by the democratic and French faction, who said that it was a death blow to the liberty of the press---to the liberty of speech---to every liberty of the people---and to the rights of man. It was unconstitutional---it created new offences and new modified old ones in vague and uncertain expressions;

and it ought at least, they said, to be limited in duration to a shorter term. It was indeed evident from the style and manner of the attacks upon the act, from the futility of the objections to it, from the falsehood of the allegations, and above all from the seditious tendency of the language used by them, and the misrepresentation of the motives laid to the charge of the makers of the law, that the feelings, not the judgment of the country were appealed to, and that the object was rather to create discontents than to procure a repeal of the act. The motives of those objectors were as pellucid as glass, they could be seen through by the dullest sight---and being seen only served to prove to more absolute conviction, the expediency of the law objected to. In effect, the act only declared and reënacted that which had before been the law of every State ; in Pennsylvania, for instance, it makes part of an article in the Constitution, thus---" The printing presses " shall be free to every person who undertakes to " examine the proceedings of the Legislature, or " any branch of government, and no law shall ever " be made to restrain the rights thereof ; that the " free communication of thoughts and opinions is " one of the invaluable rights of man ; and that every " citizen may freely speak write and print on any " subject, BEING RESPONSIBLE FOR THE ABUSE " OF THAT LIBERTY." The sedition act recognized this right in the individual to speak and write, and also in the laws to punish him if he abused the right---but it went further in favour of the citizen ; by providing that the accused should

be permitted to plead the truth, and to give it in evidence. It indirectly provided that the writer of a supposed libel should not be punishable if the libellous matter charged were founded in truth. No man but one of criminal determinations would pretend to say that any thing was forbidden by that law that was not criminal. "To defame or bring into contempt the Congress or President"---"To excite the hatred of the people against them"---"To stir up sedition in the United States"---"To raise unlawful combinations for resisting the laws and lawful authorities."---"To aid and abet foreign nations against the United States, their people or government."---These were the offences specified in the law as punishable. If these things were really criminal why should they not be punished?---and who will deny that they are so but those who think that by acknowledging their criminality, they would confess themselves to be guilty, and, therefore would endeavour to shuffle off the punishment by denying the guilt. Well might the French faction, the democratic juntos, the emigrated sans-culottes of France, and the American United Irishmen, all of whose subtile and pernicious designs were traversed and defeated by those acts of Congress—well might they inveigh in the bitterness of heart against them; well might the chief of the faction, Mr. Jefferson, convert to the purposes of his perverted ambition an obvious criminal falsehood so congenial to his heart, so consistent with his whole conduct, so correspondent to his opinions and purposes, and so conducive to the attainment of that popularity and consequent power

which it was the ultimate and perhaps the only object of his vows to obtain. It is observable that during the last war, the people of America not only endured but approved of acts of restraint so rigorous that they were in comparison with the sedition law, as fetters of hot iron to silken cords; why? because there was no French faction in the country. In fact the sedition law enlarged the rights of the people, and circumscribed the powers of the courts. At common law, the punishment for slander and sedition was undefined and discretionary, but by the sedition bill it was restricted. But all laws that were of real advantage to the country were now to be impeached, and calumniated in proportion to their beneficial effects. The government, the Congress, the President, all the wise and salutary measures, and all the wise and virtuous men, were to be arraigned before the tribunal of the public, because they militated against an atrocious French faction which had got immovably lodged in the bosom of the country; a faction of men who from the meanest French sans-culotte or most reprobate United Irishman, up to the Vice-President and minority in Congress were the apostles of atheism and anarchy; of bloodshed, ruin, and rapine.

During the session of 1798 a resolution was moved in the House of Representatives for the House to resolve itself into a committee to consider of the propriety of amending the sedition law. The application was suggested by the mission of Doctor Logan to Paris, already mentioned, for the purpose as was avowed of carrying on a private negotiation with

the rulers of the French republic. This business was brought forward by Mr. Griswold. The object of his motion for a committee, was to provide, by an amendment to the sedition law, "a penalty for any "citizen who should usurp the executive authority "by commencing or carrying on any correspond- "ence with the government of any foreign prince "or state relative to any controversies or disputes "existing between such prince or state and the "United States of America." This measure was warmly opposed. As the origin of the mission was pointed out pretty clearly to be with Mr. Jefferson, the motion met with a strenuous resistance from Mr. Gallatin and the Virginian members. This opposition had the effect of drawing out from several members, sentiments of severe reprobation on the mission. Though there existed no law by which it could be punished, yet they conceived that the sense of the nation, conveyed through its constitutional organ the Legislature, and remaining on record as a proof of the sense of the country, would have a good effect.--- "We deplore, (say they in their address to the Pre- "sident,) that there are those who call themselves by "the American name, who have daringly insulted "our country by an usurpation of powers not dele- "gated to them, by an obscure interference in our "concerns." This address passed by a majority of two to one. The Senate voted, with only five dissenting voices, an address on the same subject, which spoke thus of Mr. Logan's mission: "We rejoice "that our constituents are fully aware of the perni- "cious tendency of foreign influence; and impress-

" ed with the deepest detestation of the conduct of " those who, by an officious interference in our fo- " reign relations, have traitorously attempted to wrest " the administration of our public affairs from the " hands in which the Constitution of our country, " and the suffrages of a free and enlightened peo- " ple, governed in their choice by a knowledge of " their tried virtue and eminent talents, have justly " placed it."

On the third day of September, (1800,) a treaty was signed at Paris by Joseph Bonaparte, M. Flurieu and M. Rœderer, on the part of France, and Judge Elsworth, Mr. Davie and Mr. Murray, on that of America; and on the eighth of January, 1801, it was canvassed in the Senate and agreed to, with the exception of two articles, which were rejected.

In examining the conduct of Mr. Adams during his presidency, we find in it much to admire and something to censure. The spirit displayed by the nation in the first part of it may, in a great measure, be attributed to his resolute and decided manner of repelling the insults and injuries offered by France. Though much is to be ascribed to the circumstances of the two countries, and still more to the intrinsic vigour and magnanimity of the nation; yet the praise of having taken the lead, of having elicited the sparks which kindled the noble flame that spread through the country, of having shaped and directed it into its proper channels, and of having crippled the dangerous factions which raged in the country by the alien and sedition laws, belongs to the good sense and spirit

of Mr. Adams. He roused the pride of the nation--- he inspired it with a proper sense of the injuries and outrages which it had experienced, and he filled the people with the resolution to encounter the foe with a prompt and energetic resistance. But the latter part of his administration formed a lamentable contrast to the former. Its effects were in every respect the reverse of those of the commencement. His measures sunk the tone of the public mind, and impaired the confidence of the nation in the spirit and fortitude of their chief magistrate. They palsied the public sentiment, enfeebled the opinions as well as the hearts of the country, opened the gate to the enemies of government, at the same time filling them with confidence in their own strength, and finally it brought contempt and disrepute on the administration, and did irreparable injury to that party to whom he owed his elevation to the presidency.

Nor were his errors merely those of a public nature. His administration was tarnished with acts of vindictiveness and unjust personal resentment, under the influence of which he betrayed a weakness of mind and a poverty of spirit scarcely pardonable in any man, and particularly unsuitable to a person of his character and elevated rank in society. To a pique as mean as it was ill-founded, he sacrificed two of his best friends, and drove from his councils some of the most able and honest statesmen living--- Mr. Pickering, Mr. M'Henry, and General Hamilton. Those gentlemen had urged him by letter, and by every means in their power had endeavoured

to dissuade him from the disgraceful and impolitic measure of sending the last mission to France. This Mr. Adams viewed with an eye of jealousy and indignation, and accused them of having combined to counteract him in that affair---a supposition on which, though founded only in his own suspicious temper, he acted as if it were certainty and would not forgive. He dismissed Mr. Pickering from the office of Secretary of State, and Mr. M'Henry from that of Secretary of War. On this occasion General Hamilton, in a public letter printed in the year 1800, speaks as follows:

"A primary cause of the state of things which "led to this event is to be traced to the ungoverna- "ble temper of Mr. Adams. It is a fact that he is "often liable to paroxysms of anger which deprive "him of self-command, and produce very outrageous "behaviour to those who approach him. Most, if "not all his ministers, and several distinguished "members of the two houses of Congress, have "been humiliated by the effects of these gusts of "passion.

"This violence, and the little consideration for "them which was implied in declining to consult "them, had occasioned great dryness between the "President and his ministers, except, I believe, the "Secretary of the Navy.

"The neglect was of course most poignant to Mr. "Pickering, because it had repeatedly operated in "matters appertaining to his office---nor was it in the "disposition of this respectable man, justly tenacious "of his own dignity and independence, to prac-

" tise condescensions towards an imperious chief. " Hence, the breach constantly grew wider and " wider, till a separation took place.

" The manner of the dismission was abrupt and " uncourteous---ill suited to a man who in different " stations had merited so much from his country. " Admitting that when the President and his minis- " ters had gotten into a situation thus unpleasant, a " separation was unavoidable, still as there was no " surmise of this conduct, the case required a frank " politeness, not an uncouth austerity. But the re- " mark most interesting in this particular to the cha- " racter of the President is, that it was by his own " fault that he was brought into a situation which " might oblige him to displace a minister whose mo- " ral worth has his own suffrage, and whose abilities " and services have that of the public.

" The dismission of the minister was preceded by " a very curious circumstance. It was, without " doubt, announced as a thing shortly to happen, in an " opposition circle, before any friend of the govern- " ment had the slightest suspicion of it. This cir- " cumstance, taken in connexion with the period at " which it happened, naturally provokes the conjec- " ture that there may have been some collateral in- " ducements to the step.

" The dismission of the Secretary of War took " place about the same time. It was declared in the " sequel of a long conversation between the Presi- " dent and him, of a nature to excite alternately " pain and laughter---pain for the weak and excessive " indiscretions of a chief magistrate of the United

" States---laughter at the ludicrous topics which con-
" stituted charges against this officer.

" A prominent charge was, that the Secretary in a
" report to the House of Representatives had eulo-
" gized General Washington and had attempted to
" eulogize General Hamilton, which was adduced as
" one proof of a combination in which the Secretary
" was engaged to depreciate and injure him, the
" President.

" Wonderful! passing wonderful! that an eulogy
" of the dead patriot and hero, of the admired and
" beloved Washington, consecrated in the affections
" and reverence of his country, should in any shape
" be irksome to the ears of his successor!

" Singular also that an encomium on the officer
" first in rank in the armies of the United States, ap-
" pointed and continued by Mr. Adams, should in
" his eyes have been a crime in the head of the war
" department, and that it should be necessary, in
" order to avert his displeasure, to obliterate a com-
" pliment to that officer from an official report!"

It is still more wonderful that a person of ordinary understanding should suffer himself to be transported by an ill-founded jealousy into an act, which so far exceeds the bounds prescribed to inconsistency, as to trench upon either madness or hypocrisy. How could Mr. Adams be so unmindful of the public professions which he made in his letters to Congress on the death of Washington? How reconcile his panegyric on the one occasion, with his dislike to hear the same object praised on the other? On the nineteenth

December, 1799, he wrote to the two houses the following letter:

"The letter herewith transmitted will inform you "that it has pleased Divine Providence to remove "from this life our excellent fellow-citizen GEORGE "WASHINGTON, by the purity of his character and "a long series of services to his country rendered "ILLUSTRIOUS THROUGH THE WORLD. It re- "mains for an affectionate and grateful people, in "whose hearts he can never die, to pay suitable "honour to his memory."

On the same day he wrote to the Representatives a letter couched in the following terms:

"I receive with great respect and affection the "condolence of the House of Representatives on the "melancholy and affecting event in the death of THE "MOST ILLUSTRIOUS AND BELOVED PERSONAGE "WHICH THIS COUNTRY EVER PRODUCED. I "sympathize with you—with the nation, and with "good men through the world in this irreparable "loss, sustained by us all."

And on the day following he announced the death of Washington to the army in the following note:

"The President with deep regret announces to "the army the death of its beloved chief, General "George Washington. Sharing in the grief which "every heart must feel for so heavy and afflicting a "public loss, and desirous to express his high sense "of the vast debt of gratitude which is due to the "virtues, talents and ever memorable services of the "illustrious deceased, he directs that funeral honours "be paid to him at all the military stations, and that

"the officers of the army, and of the several corps of "volunteers, wear crape on the left arm by way of "mourning for six months."

Yet in a few months afterwards, the same Mr. Adams actually dismisses one of the best men in the country from his office, for eulogizing that same General George Washington.

Mr. Adams's pardoning Fries, who, on a full and fair trial, was found guilty of treason, and other capital offenders, is another stain upon his administration. The general laxity of opinion and conduct that prevailed over and agitated the Union---a persuasion no less general, arising from the impunity with which offenders were allowed to commit the worst crimes, that the government was afraid to inflict punishment, called for a rigorous execution of the laws, and for the adoption of a new system of salutary firmness to put an end to that ruinous illusion. No man knew this better than Mr. Adams, or spoke upon it with a more plausible air of determination. While the trials were going on, he let fall from him, expressions of a resolution not to pardon the culprits if they should be found guilty; and a short time before he pardoned them, he roundly inveighed against the mistaken clemency of Washington on a former occasion, as being the cause of a second insurrection, and said he would take care and provide against there being a third, by giving the laws their full course against the convicted offenders. In this case too he went out of his way to find a pretext for pardoning the culprits; having actually applied to their counsel for a statement of their cases, and for arguments used in their

defence by their advocates, perverted and sophistical as they were known to be.

During the administration of Mr. Adams, a transaction occurred which deserves to be recorded, as it stands high among the profligate instances which the democratic body in America have left upon public record, not only of their total disregard of moral duty and national right, whenever England happened to be concerned, but of the abominable lengths to which that party have been ever willing to go in the perpetration or concealment of crime, when it has answered their party purposes, their political views, or their national rancour.

On the 22d of September, 1797, the crew of his Britannic Majesty's frigate, the Hermione, mutinied on board her, murdered the principal officers, piratically took possession of her, carried her into Laguira, and there sold her. A man of the name of Thomas Nash, a seaman, and one of the mutineers, but who, for the purpose of concealment, took the name of Jonathan Robbins, was, in consequence of a demand made by the British Consul at Charleston, taken up, on suspicion of having been concerned in the said mutiny; and was committed to jail in order that he might be delivered over to be sent to Jamaica for trial, in virtue of the 27th article of the treaty between Great Britain and the United States. The article ran thus:

"It is further agreed, that his Majesty and the "United States on mutual requisitions, by them "respectively, or by their respective ministers or "officers authorised to make the same, will deliver

" up to justice all persons who being charged with " murder or forgery committed within the jurisdic- " tion of either, shall seek an asylum within any of the " countries of the other, provided that this shall only " be done on such evidence of criminality as, accord- " ing to the laws of the place where the fugitive or " person so charged shall be found, would justify " his apprehension, and a commitment for trial, if " the offence had been committed."

The grounds of the commitment were two affidavits, one of which, made by William Portlock, a native of Portsmouth, in Virginia, testified, that he was one of the crew on board the American schooner "Tanner's Delight," which arrived in Carolina about three weeks before—that Jonathan Robbins came in said vessel with him, before the mast—that on the last Christmas night he heard the said Robbins, talking in the harbour of St. Domingo, declare to some Frenchman, that he (Robbins) was boatswain's mate of the British frigate Hermione, when she was carried into the port of Cavalla, and bid them not take notice of it: and that afterwards, when drunk, Robbins would mention the name of the Hermione, clench his fist, and say "Bad luck " to her." The other was an affidavit of a lieutenant John Forbes, of his Britannic Majesty's service, in which he swore that the real name of the person who called himself Jonathan Robbins, then in jail, was Thomas Nash; that he, the said Nash, was a seaman on board the Hermione; that on the 19th of September he saw the said Nash in the same station on board the said vessel; that on the

22d the crew mutinied, killed the principal officers, and carried the ship into Laguira; that the said Nash (otherwise Robbins) was one of the principals in the commission of the said acts of piracy and murder; and that his, Nash's, conduct in that transaction was made known to him, the deponent, by depositions made, and testimony given in a court-martial where some of the crew had been tried.

The democratic faction acted on this occasion in conformity to their fixed scheme of morals, and in congeniality with the dispositions of their hearts. The pirate, mutineer, and murderer was dear to them, and the more dear, because the outrages he committed were against the great enemy of jacobinism and France, and because the lives he helped to destroy were those of British officers. The case of Nash, therefore, had every thing in it that could recommend him to their guardian care. More Ligurian, by far, than Roman in their hearts, they felt a particular relish for that species of enterprise in which the offender had been engaged; and its being dished up in blood, gave it a peculiar French piquancy to their new-philosophic palates. They insisted that there was not the slightest cause even for a commitment of the offender; that Portlock's testimony was trifling in the extreme; and that lieutenant Forbes's was nothing: and they endeavoured to make it out that the article in the treaty did not extend to cases arising at sea. In a word, they would have shielded the murderer, by means of any sophism or trick, from that justice to which honest men would have thought it their duty to bring him, even if the law had been doubtful on the subject. They

affected to believe him an American: but had he been an American, he would not have found that favour in their eyes which they afforded him as a revolted British subject. They insisted that he was innocent: had he been innocent he would have wanted the paramount claim to their sympathies which he derived from the acts of mutiny, piracy, and murder.

The American judge, (Bee,) however, knew his duty, and performed it; and ordered the culprit to be delivered up. He was accordingly conveyed on board a British sloop of war, which carried him to Jamaica, where he was tried, condemned, and executed.

The columns of the democratic prints were all filled with the most infamous invectives, and inflammatory declamations against the Executive. Affidavits were made that Robbins was a native of Danbury, in Connecticut. Certificates of the town and its officers were then given, and affirmed upon oath, that there had been no such person, name, or family, known in Danbury.

A short time, however, placed every thing respecting the matter, on its proper footing. For Nash, at the place of execution, proclaimed the truth, confessed his guilt, and acknowledged that he was a native of Ireland. Thus did their newly adopted friend and fellow-citizen, leave the amiable democrats in the lurch; bequeathing them nothing in return for their kindness but the consciousness of having exerted their utmost efforts in the cause of OPPRESSED HUMANITY, and the comfortable reflection of having

deposited some generous falsehoods in the shape of oaths, in the archives of eternity, for their benefit on the great day of account between them and Heaven.

The signal impolicy of the latter part of Mr. Adams's administration, his fluctuating opinions, his capricious measures and schemes, generated by disproportioned pride upon a hot and fickle temper, his ill treatment of the most popular and efficient members of his party, his injustice to that admirable statesman, Pickering, and the amiable, as well as able, M'Henry, his jealous rejection of the advice of the wisest men, and those constitutionally considered his counsellors, lowered him insensibly in the estimation of the party which raised him to office, disgusted many of them, and impaired the confidence so long reposed in him by the great federal body, which, on its part, weakened by those divisions among its leaders, suffered a considerable abatement of its influence; and, losing much of its unity and coherence, became every day less and less able to sustain the attacks incessantly made upon it by the restless villany and indefatigable industry of the French faction, and the whole body of democrats. By the agency of those evil-minded men, the hatred of the majority to Great Britain was every day increased; their zeal in the cause and interests of France, were augmented almost to fanatical madness; while America, merely as America, gradually dwindled from the sight, or if seen at all, was only contemplated as thrown behind into the obscurity of the back ground. The demo-

cratic candidates for the presidential chair, cunningly plied the people with the commonplace topics of the French school, and with invectives against the tyranny of Britain : and it was soon perceptible that a practicable breach was made in the great fortress of federalism. Hamilton, of whom in almost all the essentials of a good and great man, panegyric can never say too much, though she were to exhaust herself in uttering his praise, who, though a profound statesman, and high among the loftiest patriots, wanted a little of that flexibility of temper, that accommodating suppleness of spirit without which, in degenerate times, the greatest talents are unproductive—and who, whatever common policy might dictate, still felt an irresistible attraction to right, was unable to controul the spirit of truth within him, (truth, that great moral rider to whose rein alone he willingly submitted his neck,) or to conceal his disgust, and more honourably perhaps than discreetly, avowed publicly his opinion of the President's conduct, and thereby, without intending it, impaired that gentleman's interest in the Union. Indeed, a decay of influence was growing upon the federal party more rapidly than any man seemed to be aware of, and the alienation of federal opinion from the chief federal candidate that succeeded, produced an indifference in some which operated as balefully as acts of positive hostility could have done ; and the lamentable result broke upon the party all at once, in the returns of votes for President and Vice-President, which gave to the two democratic candidates a decided majority.

CHAPTER II.

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Thomas Jefferson and Aaron Burr elected President and Vice-President—The new President's inaugural speech—The New-Haven Remonstrance—The President's answer to the New-Haven Remonstrance—General dismission from office and persecution of the Federalists—Constitution violated by the President in stopping the prosecution ordered by the Senate; in paying back a fine from the Treasury; and in disbursing the repairs of the French frigate Berceau.

THE influence of the two democratic candidates, Jefferson and Burr, was so perfectly equal, and so perfectly equal was the opinion which the democratic party entertained of their respective merits and title to support, that when the votes of the Union came to be cast up they were found to stand thus:

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The House of Representatives was now, according to the provisions of the Constitution, to determine by vote, between Mr. Jefferson and Mr. Burr, which should be President, and which Vice-President; and in this decision the federal party would, of course, be able to turn the scale in favour of that candidate of whom they entertained the most favourable, or rather (considering the general knowledge of the two men) the least unfavourable sentiments. To judge fairly of their opinion respecting the candidates, one must get back, and in imagination take his stand at the precise time when the choice was to be made. The wishes and hopes of the federalists now rested on a sad choice between two evils—evils so nearly balanced in their minds as to puzzle the judgment, render distinction difficult, and preclude any very strong motives to preference. To General Hamilton the federal body in general looked for their opinions in every knotty emergency. He had the best means of knowing both candidates; and thinking both to be eminently disqualified for the important office to which they had been elected, he imagined that there was a chance at least of one being rendered by his natural impotence, less noxious than the other. He erroneously imagined that the timid cunning of Mr. Jefferson would be less dangerous to the country than the bad political principles, joined to the intrepid spirit of Mr. Burr, and that there was much less to be feared from the crawling hypocrisy of the one, than from the bold and unprincipled ambition of the other. Viewing their

talents, he was well assured that for all the purposes of governing and protecting a great nation, there was no comparison between the two men. To the vigorous mind, the intellectual and personal energies of Mr. Burr, as well as to his undaunted and unconquerable spirit, he bore willing testimony; while he could not but contemplate with something like contempt, the weakness of the other. He knew that men so gifted as Colonel Burr, are competent to great good, and so long as their talents can be kept under the controul of moral rectitude, are among the greatest blessings of God to mankind; but he also knew that when once they have absolved themselves from the strict laws of morality and religion, and have thrown off the fear of God and the shame of man, of which he seems to have suspected Mr. Burr, they are the very worst scourges which Omnipotence can send upon the world; their capacity to do mischief being proportioned to the magnitude of their gifts; and, it unfortunately too often happens, their disposition to do it being coördinate with both. In Colonel Burr these powers existed in an eminent degree. Whatever his dispositions might be, his capacity to accomplish any great purpose was certainly so much greater than that of Mr. Jefferson, that to the apprehensions of many wise and well-meaning persons of influence, the latter appeared the less formidable of the two; and for once a person owed his election to the chief magistracy of a great country, to his character for timid meanness and incapacity. It never occurred to the federalists, or those who gave Mr. Jefferson

the preference, till it came upon them like a thief in the night, that the miner, who works under ground and in the dark, often accomplishes that ruin, and levels with the earth those mounds and bulwarks, from which myriads of brave warriors have been driven in helpless defeat and discomfiture; that the subtle, snail-slow march of corrupt influence will reach and grasp that object which vaulting ambition overleaps; and that boldness is generous and relenting in power, while the policy of the timid, and the despotism acquired by the cowardly and cunning, are insatiable, merciless and unrelenting. How strange and unaccountable is sometimes the oversight of the most wise!---To take security for a man's good conduct from his baseness and imbecility!! Knowing him to be weak, visionary, timorous and irresolute, destitute of fortitude, destitute of magnanimity, what could ordinary sagacity have expected from the administration of Mr. Jefferson but that which has happened---ruin to the country at home, and disgrace abroad!

But there was one point of view, and that the most material, in which one would think Mr. Jefferson must have appeared exceptionable as a chief magistrate, in the eyes of every christian American. Conscious as he must have been of labouring under such a disqualification, it is astonishing he himself was not discouraged by it from looking for the presidency, and more so still that he could have been elected by a people professing to be christian. It is well known that for some time before that event, deism and atheism had been making great and rapid progress through the Union. Illuminism had been sys-

tematically embraced by several bodies of men who associated for its propagation. President Adams in a proclamation, in which he briefly disclosed the dangers that threatened the country, had said, " The " most precious interests of the United States are " still held in jeopardy by the hostile designs and in- " sidious arts of a foreign nation, (France,) as well as " by the dissemination among them of those princi- " ples, subversive of the foundations of all religious, " moral and social obligations, that have produced " incalculable mischief and misery in other coun- " tries."

The violent assaults which were made upon this passage of the proclamation, proved the truth and accuracy of the sentiment. Enraged at this public disclosure of their villanous designs, the whole faction attacked it. A society of Illuminati (or more properly called by themselves *Illuminees*) had been established in Virginia. It consisted of one hundred members, had its regular officers as well as members, and was set on foot in 1786, by the GRAND ORIENT of France. From this society a deputy was sent to reside with the mother society in France, in order to hold up a communication between the infidels and revolutionists of the two countries, and to give the American society its instructions. In New-York there was a society of the same kind, out of which fourteen others at least had sprung.

The Illuminees, wherever their doctrines were propagated, had brought about the ruin of the state. They had frittered away that only cement of political society, religion---destitute of which the whole fabric

fell to the ground. To subvert the religion of America in the same manner, and along with it to overturn our government, was the object of those accursed societies. To accomplish the first of these ends, they attacked the churches and clergy. As in every part of the world which the French had revolutionized, the precursors of their ruinous designs and their secret agents were the Illuminees, so it was their design to act in America; and as in the former, so in the latter, the destruction of the clergy and of religion was a part of their system, to the accomplishment of which every engine was actively employed at the very time Mr. Adams's proclamation just mentioned was issued. In Holland their process was the same, as well as in their overthrow of the Helvetic union. The clergy in every country were known to be almost universally hostile to the wicked designs and insidious arts of the French government. They stood in the way of the jacobins and revolutionists, and traversed and thwarted their designs. And so inflamed with rage were the faction in America, and so bold and confident in their strength, that they not only openly avowed their contempt of religion, but even in the Legislature of New-England, proposed measures which tended to deprive the clergy of their regular support---nay, they went so far as to boast that their plans were deeply and extensively laid, and could not be defeated, and that their success was certain. The evidences of the existence of this conspiracy against the governments and religions of the world---not only, indeed, of its existence, but of its successful execution, in many instances was com-

plete long before Mr. Jefferson's standing a candidate for the presidency. A very large portion of the people of America knew that the object of that conspiracy was to exterminate not only christianity, but natural religion itself, and to eradicate all belief of a God, of the immortality of the soul, and of moral obligation---to root out of the world civil and domestic government, the right of property, marriage, natural affection, chastity and decency---and, in a word, to destroy all that was excellent, to supplant the virtues, and in their stead to establish the most gross and brutish manners, and the most barbarous and shameless immorality. Nor was the evidence of Mr. Jefferson's being in heart, as well as in fact, one of that body of infidels, an atom less complete and decisive. On his appearance therefore as a candidate for the chief magistracy of this christian country, one would naturally suppose that those who were not entirely lost to all sense of christianity would have paused at least, pondered on his character, duly weighed not only his merits, but the consequences which were likely to ensue from the election of such a man---and that, alarmed and starting aloof from the instigations of self-interest, and recollecting what was due to their country, their religion, their fellow-citizens and their God, they would exclaim---" An " infidel ought not to be the chief magistrate of this " great nation. He who denies the truth and derides " the mysteries of the christian religion as foolish, " fanatical and absurd, shall not govern me or mine; " Thomas Jefferson shall not govern me or mine."

These disqualifications of Mr. Jefferson were not unknown to the public. They had long been the general subject of open discourse and reprobation---and the public memory was frequently refreshed upon it by the writers and orators of the day, who constantly reminded the people of the writings and many oral effusions, in which Mr. Jefferson either boastfully avowed or indiscreetly betrayed his hostility to the bible and to the whole of the christian religion. He had been in the public eye too long to be misunderstood on that subject. He was too conspicuous a man, and had been too explicit with the public respecting his doctrines, for his creed to be unknown. His writings afforded abundant shameful evidence of his opinions. The openness of his conversation, on this one subject, always, from perverted zeal, more than ordinarily indiscreet and undisguised, had rendered them long before notorious.

If the political errors of his mind therefore had not disqualified him for the office, a fault of the greatest magnitude in his heart raised an insuperable objection to his election. He denied that faith which the people who were to elect him deemed necessary to future happiness, and to the right use of those powers which God has intrusted for useful purposes to man---he was destitute of faith in that fundamental law on which alone virtue and integrity can stand unshaken. He was the avowed enemy of those sacred principles which give force and harmony to morals---which inspire men with zeal in the cause of human happiness, and furnish at once the motives and means to individual and national felicity. In

the serious lucubrations of his closet, and in the sportive effusions of social converse and festive enjoyment, he had for years displayed the same unabating, fanatical malignity to divine revelation and its ministers. Some of his witticisms were of a dye of profaneness so deep, that it would be sharing in their guilt to copy them; and one of the shortest cuts to his favour was to profess the utmost contempt for christianity and the bible. A Mr. Hawkins wrote a book in vindication of the doctrines of the Illuminati, and while it was yet in manuscript sent a copy to Mr. Jefferson. Pleased with the performance, and anxious to express his approbation, but at the same time aware of the ignominious practice which prevails so much in America of opening letters and breaking seals in the post-offices, he wrote an answer in Latin, in which he unequivocally expressed his approbation of every opinion and sentiment contained in the work---and even requested Mr. Hawkins to cause it to be published, in order to enlighten the minds of the people of America.

But Mr. Jefferson had deists, atheists, and infidels enough, prepared to countenance and support him. The new sectaries of most denominations stood forward as his advocates. The preacher's desk, which ought ever to be the throne of light, became the tribune of darkness, and the pretended ministers of the christian gospel brawled forth the praises of the infidel enemy of Christ. Not that they were impudent or unskilful enough to applaud his doctrines openly---No, that would be too brazen---but they always palliated---often denied the facts---denied them, even in

the very teeth of the positive evidence of facts. The very sentiments published with the authority of his name in the Notes on Virginia, they would deny, whenever the book was not at hand to convict them. In his principal work* he says—

"It does me no injury for my neighbour to say "there are twenty gods or no god; it neither picks "my pocket nor breaks my leg; if it be said, his "testimony in a court of justice cannot be relied "on; reject it then, and be the stigma on him."

In another part of the same work,† speaking of the state of religion in Pennsylvania and New-York, he says "religion there is well supported, of various "kinds indeed, but ALL GOOD ENOUGH—all sufficient "to preserve peace and order." Looking, too, through the list of his favourites who have helped to support him and been rewarded with his smiles and official emoluments, we shall find that the far greater part of them are avowed infidels, and that whether they assumed to be so in conformity and complaisance to their lord and master, or he chose them for their principles; or that infidelity and atheism is held to be an inseparable adjunct to democracy: a majority of the majority were notorious, boastful infidels. To mention one instance out of hundreds; General Dearborn travelling in the public stage from Washington, openly declared it to be his opinion, that "*so long as our temples* "*stood, we could not hope for order or good govern-* "*ment.*" Passing by a meeting-house in Connec-

* Notes on Virginia—see page 169. † Page 171.

ticut, he pointed at it, and with the utmost scorn exclaimed---"LOOK AT THAT PAINTED NUI-"SANCE." Such bold assaults upon religion entitled him, in Mr. Jefferson's opinion, to the highest promotion, and nothing less than the office of Secretary of War could sufficiently compensate the man who insulted his God, to please his President.

If with these, and a hundred such instances of impiety staring them in the face, preachers have stooped to be the advocates of Mr. Jefferson, can they be considered as christian preachers?—certainly not.

If a majority of the people really elect him, can that majority be called a christian people?—certainly not.

But this was not all. Mr. Jefferson had, as has already been noticed, patronized a paper called the "National Gazette," published by a man who was a clerk in the department of state, when he was Secretary, which on every occasion ridiculed religion and vilified the clergy, and in one case actually treated the belief of a providence, as an impious tenet.

It is unnecessary to swell this catalogue of wickedness with many more instances; it shall be closed therefore with the memorable answer made by Mr. Jefferson to a gentleman, who, riding in company with him, animadverted on the ruinous and shabby condition of a place of worship which they had passed on the road—"it is indeed in a wretched state!" replied our great man—"but it is good enough for "the worship of a God that was born in a manger."

Such were the recommendations which Mr. Jefferson brought with him to the christian people of America for his election to the office of their chief magistrate. Yet he was elected, and his election will be long as severely felt in the deterioration of public morals, as in the destruction of the political happiness and prosperity of the country.

Of the many fictions which mankind seem determined to take upon trust, and assent to without examination, there is not one more glaringly false than that which supposes that in elective governments it is the majority that governs. Not only does the minority always govern, but that, a minority extremely small and inconsiderable. And what is worse, such minorities are sure to govern by means, and in ways injurious to the interests and contradictory to the opinions of the majority. The President of the United States is supposed to be elected by a majority ; but a moment's consideration will convince any man of plain sense that he is, to all intents and purposes, the creature of but a few. Not one hundredth part of the electors have any hand in fixing upon the candidates, and those who do fix upon them, prevent the majority from having any other choice. Of the men who set up as candidates for the presidency, ninety-nine of every hundred of the people in general will have thought very little, or if at all, perhaps contemptuously—but no others are presented to them, and therefore having no alternative the electors must vote for them, or against their party. In the present case, the election after having gone through this process, was subjected to a worse, and

ultimately carried by force, or, which amounts to the same thing, by terror. The bold and infamous partisans of Jefferson threatened, in the very teeth of Congress, to march to Washington, and put down by force any man who should be called to administer government in place of him. Pennsylvania and its hordes of factious foreigners, and Virginia with its herds of drunken idolaters of Mr. Jefferson, assuming to themselves the title *of the people of America*, took upon them, with threats of the bayonet, to dictate to the free elected Congress, of free and independent America, whom they should chuse for their President.

It is confidently asserted, that during the struggles which took place at Washington and the operation of these difficulties with which Mr. Jefferson got to the presidential chair, there is reason to imagine that Colonel Burr might have been President, if he would have accepted of it restricted with certain terms which were proposed to him: but to his own misfortune, and there is reason to believe still more to the misfortune of his country, with a self denial which little accorded with his general habits, or from a notion of policy for which it would be hard to account, he declined the offer; an error for which he was punished by the heaviest misfortunes, and rewarded by Mr. Jefferson exactly in the way that might be expected from such a person. A great political philosopher who has more perfectly than all mankind besides, analyzed that prodigy of baseness and villany the heart of a jacobin, says of that sect, "ingratitude to benefactors is to them the first

of revolutionary virtues---ingratitude is indeed their four cardinal virtues compacted and amalgamated into one." That Mr. Jefferson owed his elevation to the presidential chair greatly to Colonel Burr is pretty generally admitted. But the very power that produced his elevation became formidable to his ambition; his scared imagination saw in the friend that helped and raised him, the rival also that might depress him. In the presence of Colonel Burr his dastard spirit stood rebuked, and to get rid of his superiority he afterwards conspired against his fame and life, and by his machinations sent his benefactor an exile to wander in strange lands unknowing and unknown, and despoiled of the love and protection of his country.

A writer of ability says, "it is undoubtedly true "that several members of the House of Represen- "tatives were disposed to abandon Mr. Jefferson "and vote for Mr. Burr. It is also true that those "members continued to vote for Mr. Jefferson, "and that they subsequently received lucrative and "honourable appointments. A member of Congress "declared, after the contest was over, that he would "have abandoned Mr. Jefferson, if the federalists "had offered him sufficient inducements---who can "doubt, then, (adds the writer,) that the presidency "was up for sale to be struck off to the highest "bidder."

The new President lost no time to display his talents and unfold his natural disposition. His first address to Congress is the most perfect specimen imaginable, of that hypocrisy which has been long

charged against him as the leading characteristic of his life and conduct. It will appear that he came into the presidential office with a full conviction in his mind, that the country was torn to pieces by two factions; that he himself belonged to one of them; or rather that he considered himself as the head of a political sect, which in his opinion, had received great wrongs, which he was bound, and in fact came into office, to redress, and that the redress of them would involve the private misery and distress (in some cases the ruin) of numbers of his fellow-citizens. All this will be made manifest from his own written confessions which have been published to the world.

To effect his purposes with greater ease and safety to himself, as well as to gratify his natural fondness for deception, he came forward with a speech which breathed in every paragraph, sentiments the very reverse of those which he actually felt:--on the very threshold of his high office he stood, practising delusion, and in his very first address to the Legislature of his country, made use of the lowest arts to lull the doubts, the suspicions, and the well grounded fears of his fellow-citizens, and to win their confidence, while he was meditating deeds which merited their abhorrence and execration.

Passing over the first paragraph which in design and execution is just what might be, and no doubt was, expected by all who had been accustomed to the fulsome balderdash which flows from his pen, the

paragraph which holds the second place in the speech lays the first claim to notice.

"During the contest of opinion through which "we have passed, the animation of discussion and "of exertions, has sometimes worn an aspect which "might impose on strangers unused to think freely, "and to speak and to write what they think; but "this being now decided by the voice of the na- "tion, announced according to the rules of the "Constitution, all will, of course, arrange them- "selves under the will of the law, and unite in "common efforts for the common good. All too, "will bear in mind, this sacred principle, that though "the will of the majority is in all cases to prevail, "that will to be rightful, must be reasonable. That "the minority possess their equal rights, which "equal laws must protect, and to violate would "be oppression.

"Let us then, fellow-citizens, unite with one heart "and one mind: let us restore to social intercourse "that harmony and affection without which liberty "and even life itself are but dreary things. And "let us reflect, that having banished from our land "that religious intolerance under which mankind "so long bled, and suffered, we have yet gained "little if we countenance a political intolerance as "despotic, as wicked, and capable of as bitter and "bloody persecutions.

"During the throes and convulsions of the ancient "world, during the agonizing spasms of infuriated "man, seeking through blood and slaughter his

"long lost liberty, it was not wonderful that the "agitation of the billows should reach even this "distant and peaceful shore—that this should be "more felt and feared by some, and less by others, "and should divide opinions, as to measures of "safety: but every difference of opinion is not a "difference of principle. WE HAVE CALLED BY "DIFFERENT NAMES BRETHREN OF THE SAME "PRINCIPLES. WE ARE ALL REPUBLICANS, "ALL FEDERALISTS. If there be any among us "who would wish to dissolve this union, or to "change its republican form, let them stand un- "disturbed as monuments of the safety with which "error of opinion may be tolerated, when reason is "left free to combat it. I know, indeed, that "some honest men fear that a republican govern- "ment cannot be strong—that this government is "not strong enough. But would the honest pa- "triot, in the full tide of successful experiment, "abandon a government which has so far kept us "free and firm, on the theoretic and visionary "fear that this government, the world's best hope, "may by possibility want energy to preserve it- "self? I trust not. I believe this, on the con- "trary, the strongest government on earth. I be- "lieve it the only one when every man at the call "of the law, would fly to the standard of the "law, and would meet invasions of the public or- "der, as his own personal concern. Sometimes it "is said that man cannot be trusted with the govern- "ment of himself—can he then be trusted with

"the government of others? or have we found "angels in the form of kings to govern him? Let "history answer this question."

An indifferent person on reading this part of the inaugural speech, would necessarily conclude that the whole, sole, and sincere object of the speaker was to conciliate the people to each other, to extinguish any little animosity that might subsist between them, to appease the jealousies and resentments of party spirit, and to bring the most obstinately discordant, into a temper of kindness and mutual love and good will to each other. One would be disposed to believe that there did not exist, in his opinion at least, any material party animosities. That he not only wished, but really expected, the people to unite with one heart and one mind, to restore harmony and affection to social intercourse: and that the minority, that is to say the federalists, should possess equal rights with the majority. That without any distinction, Americans were "ALL REPUBLICANS, ALL FEDERALISTS"—and in a word, that during his administration at least, peace, harmony, and fraternal love, were to reside in the United States. But all this while his mind was darkly brooding over a system of proscription and persecution. In his speech which was to stand on record, it would have been too flagrant a violation of decency, even for a democrat, to have made confession of his political faith, or to say as he felt, and as he did in a short time afterwards in effect say, that the use of public office was not to perform the business of the public, but to satiate

the avarice of factions. His haste to act in contradiction to his inaugural speech, and by his conduct to belie his professions in it was so urgent with him that one would imagine he had been seized with a fit of compunction for having so grossly deceived the public, and as a tribute, for the first time, to remorse, had resolved to undeceive them, before their pride was pledged to make good the errors of their credulity. Like hungry and ravenous sharks he, for his party, all at once fell upon the federalists, and betrayed to the conviction of the most unsuspicious, or rather impudently avowed the abominable purpose for which he had darted forth from his philosophic retirement and grasped at emoluments and office. He laid aside all decency, all shame—boastfully abandoned that conciliatory system which he pretended to have adopted—instead of "restoring harmony to social intercourse," scattered the seeds of discord, broad-cast, through the country; blasted the best joys of social intercourse; as adverse in practice, and hostile in principle, as opposed in faith to the Saviour who prayed for, and preached peace and good-will among men, he burst forth upon the community, as the midnight fire upon the sleeping inhabitants of a city, spreading a desolating conflagration around him. By his mere dictum, formed on a cold deliberate plan, he divided the people of the Union into two sects, one of which he branded as odious, unfairly proscribed them, and commenced a regular system of per-

secution against them, avowing that he thought himself bound to persecute that one sect for the benefit and gratification of the other.

An upright chief magistrate coming into office, would have felt that though the Constitution gave him the power to remove men from office for delinquency or incapacity, it never intended that the public offices should be made the property of him or his creatures. It meant that the business of those offices should be well done, not that particular men and parties should be fed by them. Mr. Jefferson's notions reversed the intention;---according to him, the office was created not that the public work should be done, but that the pander of power should receive his emolument. As chief magistrate, he was invested with the power to appoint in case of vacancy, or to remove if removal were rendered expedient by the incapacity of the person in possession; but he, straining his authority far beyond its constitutional purpose, used those offices not to get the public business better executed, but to satiate his revenge, to provide for his creatures, and to pay to the corrupted the price of their defection and baseness, dismissing for the purpose men of much better qualifications, than those he substituted in their places. The removal of a very respectable and amiable man from office, brought upon Mr. Jefferson the eyes of the Union, and occasioned public animadversions upon his conduct, which irritated him into a temporary forgetfulness of his customary caution, and betrayed him into confessions which ought never to be forgotten.

Mr. Elizur Goodrich, a man of respectable character and excellent qualifications, had been placed by Mr. Adams in the office of Collector of the port of New-Haven in Connecticut. Without any offence, misconduct or neglect on his part, without even the slightest suggestion against his capacity or his public or private integrity, this gentleman was removed from office and his place given to a Mr. Samuel Bishop.

Such an outrage upon all principle, upon decency, upon a people's rights, had not been before committed. It was treated accordingly, and the people met, and remonstrated against it in the following terms:

"*To Thomas Jefferson, Esquire, President of*
"*the United States.*

"The undersigned merchants residing at the port
"and within the district of New-Haven respectfully
"remonstrate against the late removal of Elizur
"Goodrich, Esquire, from the office of Collector for
"the district of New-Haven, and the appointment of
"Samuel Bishop, Esquire, to fill his vacancy. As
"the ground of our remonstrance we represent that
"the office while filled by Mr. Goodrich, was con-
"ducted with a promptness, integrity, and ability,
"satisfactory to the mercantile interest of this dis-
"trict---promptness and ability, not to be found in
"his successor.

"Believing the character of E. Goodrich, Esquire,
"as an officer to be unexceptionable, we lament
"that it should be conceived necessary that a change

" in the administration must produce a change in " the subordinate officers, and in this instance we " have especially to lament that certain measures " have succeeded in deceiving the President so far " as to induce him to appoint a man to our impor- " tant office who does not possess those qualifica- " tions necessary for the discharge of its duties. We " hesitate not to say that, had the President known " the circumstances and situation of the candidate " he would have rejected the application. To prove " this let facts be submitted to the consideration of " the President.

" Samuel Bishop, Esquire, will be seventy-eight " years old in November next.

" He is labouring under a full portion of those " infirmities which are incident to that advanced " period of life.

" With these infirmities, and an alarming loss of " eye-sight, though he was once a decent penman, " it is with difficulty he can even write his name.

" He was never bred an accountant, nor has the " course of his business ever led him to an acquaint- " ance with the most simple forms of accounting.

" He is totally unacquainted with the system of " revenue laws, and the forms of doing mercantile " business, and is now too far advanced in life and too " much enfeebled both in body and mind ever to " learn either.

" A man whose age, whose infirmities, and want " of the requisite knowledge is such, is unfit to " be Collector of New-Haven district.

" We are aware that it may be said he has sus-
" tained with reputation and now holds several offi-
" ces in the city, town and county; but it will be
" remembered that none of them are by recent pro-
" motion. His office of Mayor he holds by charter du-
" ring the pleasure of the Legislature, and he is con-
" tinued as Judge of the County Court, and Town-
" Clerk, because the people of this State are not in
" the habit of neglecting those who once enjoyed
" their confidence by a long course of usefulness.

" Knowing the man as we do, we do not hesitate
" to say that he cannot without aid, perform a single
" official act.

" It may be said that the appointment was with
" a view to the aid of his son, Abraham Bishop,
" Esquire, and that he is to be the real Collector.
" We presume the business must be done by him,
" if done at all; yet we cannot be led to believe that
" the President would knowingly appoint a person
" to the discharge of duties to which he was incom-
" petent, with a design that they should be perform-
" ed by his son. If however this was the case,
" we explicitly state that Abraham Bishop, Esquire,
" is so entirely destitute of public confidence, so
" conspicuous for his enmity to commerce, and op-
" position to order, and so odious to his fellow-citi-
" zens, that we presume his warmest partisans
" would not have hazarded a recommendation of
" him.

" Knowing these facts, of which we must believe
" the President ignorant, and *relying on his assurance*
" *that he will promote the general welfare, without*

"*regarding the distinction of parties*, we cherish "the idea that our grief at the rejection of Mr. "Goodrich will not be augmented by the continuance "of a father utterly unqualified for the office, or of a "son so universally condemned.

"We assure the President that the sentiments "thus expressed are the sentiments of the merchants "and importers of the district---that such a class of "citizens should be heard patiently, and their "well-founded complaints redressed, if practicable, "we are fully persuaded. If it be an object to "'restore harmony to social intercourse,' and if deci-"sion 'at the bar of public reason' be worthy of at-"tention. surely such a portion of the community "will not plead in vain for a reconsideration of his "appointment, and that such an important office may "be filled by a person competent to the performance "of its duties, and in some degree acceptable to the "public."

To this respectful and reasonable remonstrance the President sent the following very extraordinary answer:

THE PRESIDENT'S REPLY.

"*Washington, July 12th*, 1801.

"GENTLEMEN,

"I have received the remonstrance you were "pleased to address to me, on the appointment of "Samuel Bishop to the office of Collector of New-"Haven, lately vacated by the death of David Aus-"tin. The right of our fellow-citizens to represent "to the public functionaries their opinion, on pro-"ceedings interesting to them, is unquestionably a

" constitutional right, often useful, sometimes neces-
" sary, and will always be respectfully acknowledged
" by me.

" Of the various executive *duties, no one excites*
" *more anxious concern than that of placing the inte-*
" *rest of our fellow-citizens in the hands of honest*
" *men*, with understanding sufficient for their stations.
" No duty, at the same time, is more difficult to fulfil.
" The knowledge of characters possessed by a single
" individual is of necessity limited. To seek out
" the best through the whole Union, we must resort
" to other information, which from the best of mo-
" tives is sometimes incorrect. In the case of Samuel
" Bishop, however, the subject of your remonstrance,
" time was taken, information was sought, and such
" obtained as I could have no room to doubt of his
" fitness. From private sources it was learnt, that
" his understanding was sound, his integrity pure,
" his character unstained. And the offices confided
" to him within his own State, are public evidences of
" the estimation in which he is held by the State in
" general, and the city and township particularly in
" which he lives. He is said to be the Town-Clerk,
" a Justice of the Peace, Mayor of the City of New-
" Haven, an office held at the will of the Legislature ;
" Chief Judge of the Court of Common Pleas for
" New-Haven County, a court of high criminal and
" civil jurisdiction, wherein most causes are decided,
" without the right of appeal or review ; and sole
" Judge of Court of Probates, wherein he singly de-
" cides all questions of wills, settlements of estates,
" testate and intestate ; appoints guardians, settles

" their accounts, and in fact has under his jurisdic-
" tion and care, all the property, real and personal,
" of persons dying. The two last offices, in the
" annual gift of the Legislature, were given to him in
" May last.

" Is it possible that the man to whom the Legisla-
" ture of Connecticut has so recently committed
" trusts of such difficulty and magnitude, is unfit to
" be the Collector of the district of New-Haven,
" though acknowledged in the same writing to have
" obtained all this confidence by a long course of use-
" fulness? It is objected indeed in the remonstrance,
" that he is 77 years of age; but at a much more ad-
" vanced age, our Franklin was the ornament of
" human nature. He may not be able to perform in
" person all the details of his office; but if he gives
" us the benefit of his understanding, his integrity,
" his watchfulness, and takes care that all the details
" are well performed by himself or his necessary as-
" sistants, all public purposes will be answered. The
" remonstrance indeed does not allege that the office
" *has been illy* conducted, but only apprehends that it
" will be so. Should this happen in event, be assu-
" red I will do in it what shall be just and necessary
" for the public service. In the mean time he should
" be tried without being prejudged.

" The removal as it is called of Mr. Goodrich,
" forms another subject of complaint. Declarations
" by myself in favour of political tolerance, exhorta-
" tions to harmony and affection in social intercourse,
" and respect for the equal rights of the minority,
" have on certain occasions been quoted and miscon-
" strued into assurances, that the tenure of offices

" was not to be disturbed. But could candour apply " such a construction? It is not in the remonstrance " that we find it; but it leads to the explanations " which that calls for.

" When it is considered, that during the late ad- " ministration, those who were not of a particular " sect of politics were excluded from all office; " when, by a steady pursuit of this measure, *nearly* " *the whole offices of the United States were monopo-* " *lized by that sect;* when the public sentiment at " length declared itself, and burst open the doors of " honour and confidence to those whose opinions they " more approved; was it to be imagined that this " monopoly of office was still to be continued in the " hands of the minority? Does it violate their equal " rights, to assert some rights in the majority also? " Is it political intolerance to claim a proportionate " share in the direction of the public affairs? Can " they not harmonize in society unless they have " every thing in their own hands?

" If the will of the nation, manifested by their " various elections, calls for an administration of " government according with the opinions of those " elected; if, for the fulfilment of that will, displace- " ments are necessary, with whom can they so justly " begin as with persons appointed in the last mo- " ments of an administration, not for its own aid, but " to begin a career at the same time with their suc- " cessors, by whom they had never been approved, " and who could scarcely expect from them a cordial " coöperation? Mr. Goodrich was one of these.

" Was it proper for him to place himself in office,
" without knowing whether those whose agent he
" was to be, could have confidence in his agency?
" Can the preference of another, as the successor of
" Mr. Austin, be candidly called a removal of Mr.
" Goodrich? If a due participation of office is a mat-
" ter of right, how are vacancies to be obtained?
" Those by death are few, by resignation none.
" Can any other mode than by removal be proposed?
" This is a painful office: but it is my duty, and I
" meet it as such. I proceed in the operation with
" deliberation and inquiry, that it may injure the
" best men least, and effect the purposes of jus-
" tice and public utility with the least private dis-
" tress; that it may be thrown as much as possible
" on delinquency, on oppression, on intolerance, on
" anti-revolutionary adherence to our enemies.

" The remonstrance laments 'that a change in the
" 'administration must produce a change in the sub-
" 'ordinate officers;' in other words, that it should
" be deemed necessary for all officers to think with
" their principal. But on whom does this imputation
" bear? On those who have excluded from office
" every shade of opinion which was not theirs? or
" on those who have been so excluded? I lament
" sincerely, that unessential differences in opinion
" should have been deemed sufficient to interdict half
" of the society from the right and the blessings of
" self-government; to proscribe them as unworthy
" of every trust: it would have been to me a circum-
" stance of great relief, had I found a moderate par-
" ticipation of office in the hands of the majority; I

" would gladly have left to time and accident to
" raise them to their just share. But their total ex-
" clusion calls for prompter correctives. I shall cor-
" rect the procedure; but that done, return with joy
" to that state of things, when the only questions
" concerning a candidate shall be, Is he honest? Is
" he capable? Is he faithful to the Constitution?

" I tender you the homage of my highest respect.

" THOMAS JEFFERSON.

" *To Elias Shipman, Esq. and others,*
" *Members of a Committee of the*
" *Merchants of New-Haven.*"

The tenor of the remonstrance was just that which such a paper should have pursued, so far as the grievance touched the commercial interests, and the particular feelings of the people of New-Haven.--- But upon the much more important general evil to the Union, to the freedom and independence of the republic, and to the purity of its Legislature, not a word appeared, or indeed ought to have appeared, on the face of that remonstrance---it being taken up merely as a local grievance. The President was aware of this; and in his answer craftily went along with the remonstrators through those unessential topics, but no further. Muddy indeed must be their understandings who did not see, in the whole system of displacement which followed the accession of Mr. Jefferson to the chair, a deep, well arranged plan to carry into effect his abominable Gallic plans of policy, and to secure to himself and his noxious party, the dominion of the republic, by corrupting the influential

men in every State with the gift or the expectation of office and its emoluments. Then—even then, was laid the foundation-stone of that fabric of despotism, which now overlooks and frowns down upon this subjected country, by delusion and deceptive influence making the people the instruments of their own vassalage, and the apparent assassins of their own independence. Like the sanguinary ruffian in the romance, who, after having poniarded (as he thinks) the innocent and unsuspecting object of his pollution, places the poniard by her side, to lay the perpetration of the deed at her door.

When a man purposes to be superlatively mischievous, it would be worth his while either by himself or by the means of some sincere friend, (if indeed, a guilty man ever had a sincere friend,) to take an accurate measure of his powers, to recollect that the mere naked will to do a thing does by no means impart the capacity to do it, that to preserve the false appearance necessary to a long protracted scheme of evil, requires the most singular talents, and that for that reason it requires less exertion and fewer gifts to march through a whole life of integrity than to play the plausible hypocrite for eight, or even four years. In that piece of ill-joined mechanism, a scheme of complicated imposition, there are so many pieces of different stuffs, and opposite grains, such multifarious and irregular joinings, so many tenants and so many mortises drawing and resisting, and leaning and yielding in such a variety of adverse directions, that it requires boundless ingenuity, unremitting vigilance and industry,

and resolution more than falls to the lot of one villain in ten thousand, to keep it long in motion. No human art can long keep it perfectly steady and upright to the sight, or prevent the ear from hearing the straining and creaking of its joints. The very cunning of the artist defeats his skill, suggesting to him the expediency of multiplied reliefs for the craziness of his work, and inducing a perpetual effort to prop its feebleness with a cumbrous complication of mechanism.

Considering the real designs of Mr. Jefferson, as they are portrayed in the foregoing pages, and as they have since stood forth in all the shameless hardihood of misconduct, emboldened into habit by repeated impunity, it might perhaps have conduced to that kind of credit which good men wish for, to have commenced his operations with less art---to have been more frugal in his professions of candour and integrity, and to have abstained from swelling out the badness of his purposes into unnecessary projection by the contrasted promises contained in his inaugural speech.* If legitimate fame was ever the object of his ambition, his feeling must be emphatically painful when he reflects upon the station he is fated to hold in the eyes of posterity between those contrasted instruments of disgrace, his inaugural speech and his answer to the New-Haven remonstrance.

* The character of Gibbet in the Beaux Stratagem is admirably illustrated by his polite and tender expressions to Mrs. Sullen while he is pillaging her of her money and moveables.

Out of deference to his religious opinions, the oath administered to him as President is waived, but on March the 4th, 1801, he solemnly pledged himself to his country (and before God whether he will or not) to the following effect, in his inaugural speech.

1st. "Though the will of the majority is in all cases to pre-"vail, that will to be rightful must be reasonable."

2d. "The minority possess their equal rights, which equal "laws must protect, and to violate would be oppression."

3d. "Let us then unite with one heart and mind; let us re-"store to social intercourse that harmony and affection without "which liberty and even life are but dreary things."

4th. "Having banished from our land that religious inter-"course under which men bled and suffered, we have yet gain-"ed little if we countenance a political intolerance as despotic, "as wicked, and capable of as bitter and bloody persecutions."

5th. "We have called by different names brethren of the same "principle---we are all republicans; we are all federalists."

6th. "Equal and exact justice to *all men of whatever state or "persuasion*, religious or political."

7th. "The supremacy of the civil over the military autho-"rity."

Here the obligation was not imposed, it was assumed; the pact was voluntary, and therefore, being soon after broken, must have been made for the purpose of deception; for on the subsequent twelfth of July, that is, only four months and eight days after, he came forward in a state paper to justify the removal of a very excellent officer,

confesses that it was because he was of an opposite political sect to his own, officially avowed that he considered the country as torn to pieces by two factions, and explicitly declared that he belonged to one of them, just as if he had discovered it all since his delivering his inaugural speech, and that he thinks it his duty to establish their ascendancy; holding, all the time, for the purpose, the general interests of the country in abeyance. In that no less contemptible than execrable performance, he completely contradicted his former professions, and renounced the principles which he had before held. As if rendered desperate by the shameless condition to which he had brought himself, he at once laid aside all pretensions to moderation, boldly asserted his determinate purpose to do wrong, and confessed his own duplicity; disclosed at once the views of his party, and disowned his own inaugural pledge; marked the people out into two parties, and branded one as an odious sect against whom the arm of persecution ought to be raised; maintained the propriety of appointing to a respectable public office a man obnoxious to public hatred, and offered in its justification a circumstance which, according to the code of himself and his party, should operate as a disqualification; and stated Mr. Bishop's filling a number of offices as the reason for his conferring on him another,* and not only avowed the determination to continue the injuries to the party he has marked out for persecution,

* One of the leading charges of the jacobins against all governments, was their accumulating offices on particular favourites.

but rested his purposes on such a base footing as none but the most hardened, or the most foolish would dare to avow. "I proceed," says he "in the operation with deliberation and inquiry, *that it may injure the best men least*, and effect the purposes of justice and public utility with *the least private distress;* that it may be thrown as much as possible on delinquency, on oppression, on intolerance, on anti-revolutionary adherence to our enemies." Here the very principles which he himself condemned, are carried into practice: he tramples upon EQUAL AND EXACT JUSTICE, and openly exercises "A POLITICAL INTOLERANCE NO LESS DESPOTIC "THAN WICKED."

Upon what grounds this man built his pretensions to the character of a philosopher or a scholar, or, why so many have assented to them, it is difficult to imagine. If ever a ray of the true light of philosophy broke in upon his understanding or informed his heart, it must have been long obscured by his course of study in France. When did any philosopher or statesman ever imagine or avow the detestable principle, that the political opinions or bias of the citizens or subjects of an empire, had a right to affect their interests, their common rights, or their common character. Constitutionally, each citizen votes for whom he pleases, and exercises therein alone, the means that are lawfully his of promoting or preventing principles and measures, as he may think them right or wrong. Having done so, the will of the majority is carried into effect, and the minority mix with the majority as if no such thing had happened--are bound by the

same laws and entitled to the same privileges, must pay the same imposts, contribute in the same way to the public defence, and have an equal right to share in the public benefits and emoluments of office---if, indeed, in the comprehensive view of the Constitution and government, any thing like official emoluments could be supposed to be set apart for particular individuals. But according to the weak and wicked principles of the answer to the New-Haven remonstrance, political party is a state of civil war, in which the stronger getting the victory, leaves the weaker in the state of rebels, stripped of their franchises, and subject to confiscation, persecution, fine, penalty, and excommunication. In this way too, (and the assertion is unhappily confirmed by the conduct of our Legislature,) the different legislators of the separate States come to Congress, not as members who, though locally elected, lose their locality of character, and melt down into one general office of representative of the whole Union---which is their duty; but too often appear on the floor of Congress like wrangling lawyers sent to plead the cause of their client State, against the interests of the others, as if they were litigants; or rather like envoys from different empires sent to a convention for the negotiation of a general peace, in which the duty of each is to take all he can from the others, and get the best terms he can procure for his own constituents, though at the expense of all the rest, and contrary to right, to reason, and to justice. What does the President's answer amount to, if not to an avowal and justifica-

tion of a proscription of a large portion—a portion which, though not the majority, was certainly a political half of the people of the United States. A great British orator and statesman, speaking of the persecution of the Roman Catholics, in a celebrated oration, makes use of the following just and noble expressions, which apply equally well to Mr. Jefferson's proscription of the federal party: "This way "of PROSCRIBING THE CITIZENS BY DENOMI- "NATIONS AND GENERAL DESCRIPTIONS, dignified by the name of reasons of State and security "for Constitutions and Commonwealths, is nothing "better at bottom than the *miserable invention of an* "*ungenerous ambition*, which would fain hold the "sacred trust of power, without any of the virtues, "or any of the energies that give a title to it: *a re-* "*ceipt of policy made up of a detestable compound of* "*malice, cowardice and sloth:* they would govern "men against their will, but in that government they "would be discharged from the exercise of vigil- "ance, providence and fortitude; and therefore that "they may sleep on their watch, they consent to "take some one division of the society into a part- "nership of their tyranny over the rest.

"Crimes are the acts of individuals, and not of de- "nominations, and therefore arbitrarily to class men "under general descriptions in order to proscribe "and punish them in the lump, for a presumed de- "linquency, of which perhaps but a part, perhaps "none at all, are guilty, is indeed a compendious "method, and saves a world of trouble about proof; "*but such a method, instead of being law, is an act of*

" *unnatural rebellion against the legal dominion of*
" *reason and justice; and this vice in any Constitution*
" *that entertains it, at one time or other, will certain-*
" *ly bring on its ruin.*"

From the language of Mr. Jefferson's answer, it appears that he considered himself as the legally appointed executioner of the vengeance of the democratic party, upon the federal denomination. But whatever he and his party might wish, or the shallow multitude be deceived into the belief of, it was not competent to those who sent him to delegate that power; since those who sent him had themselves no such authority to impart. No class of men, however numerous, in any community, enjoy the prerogative to authorise any instrument of theirs to torment and make wretched the residue of their fellow-citizens. According to Mr. Jefferson's own position, (No. 1, page 118) " the will of the majority, to be rightful, " must be reasonable." But this exercise of the privileges of the majority was not only unreasonable, but unjust to the holders of office, and an act of violence upon the public, whose official business was audaciously encroached upon, to serve the private purposes of a faction, to feed its hungry panders, and to serve as a lure to men of influence in the States to prostitute their principles and sell their country's prosperity for office. In this respect it operated in a two-fold way, as a bribe and as a terror; for it proclaimed to the people in terms not to be misunderstood, that they must not hope for favour or even justice, if they did not conform to the principles and obey the orders of the pernicious sect in power. But

its evils extended much farther; it inflamed the animosities and increased the intolerant spirit of party, by changing the object of contest between them from a public question to their private interests; from speculative and dubious points of political doctrine, and general, national arrangements, to matter of domestic feeling---to the means of private support and to personal emoluments---and thereby excited a spirit of persecution and hatred in the country.

There is not an aspect in which this subject can be viewed that does not exhibit it in most hideous deformity. Conscious, as no doubt the President was, of the criminality of the business---for he found himself called upon for a justification, and the justification that he did give was worse than the deed, and greatly augmented his delinquency---he pleaded the example of the former administrations. If precedent were an excuse for guilt, which it certainly is not, he would have found it impossible to adduce a single instance to extenuate his. That Mr. Adams did select individuals from the federal party to fill up the vacancies in office, is certain---and it is presumed that few will be disposed to censure him for doing so, provided he wronged neither the public nor an individual by dismissing well qualified established officers, and provided the persons he appointed were well qualified for the discharge of the duties assigned them. Had Mr. Jefferson done no more, he would never have been troubled with the New-Haven remonstrance, nor would his character be blackened with the ignominy of the answer to it. But it is not merely of filling up vacant offices, even with jaco-

bins, the country had to complain---it is of turning out men of probity, capacity and tried service, without the slightest fault on their part, and putting men in their places without any merit whatsoever on theirs. It is of the cruelty of beggaring and impoverishing worthy men and their innocent families, to make way for the needy sycophants of a new-made chief magistrate, and for the treacherous agents and minions of the usurper of France. How different was the conduct of the immortal George Washington! He considered himself as the common father of his country, when President; and as such did all he could to reconcile parties, and to discourage all distinctions. Had that great man acted upon Mr. Jefferson's unworthy principles, Mr. Jefferson would never have been Secretary of State, and would have been spared the shame of his double-faced correspondence with Genet. Mr. Edmund Randolph would not have been a confidential cabinet minister, and betrayed the secret counsels of the cabinet, or held the dishonourable station which his name maintains in the intercepted dispatches of Monsieur Fauchet. Neither would Mr. Jefferson have been permitted to remain a minister of Washington's cabinet while he opposed the measures of that great man; nor would he have had it in his power to keep in office his creature Freneau, with a salary of four hundred dollars a year, under pretence of doing that which he was incapable of doing, while he edited a print eternally filled with the most atrocious calumnies upon Washington and his friends. Under such violations of official propriety, Mr. Jefferson, so far

from being turned out, was continued in office till he resigned, hypocritically pretending to retire *forever* from public employment. * Besides those gentlemen, Mr. Chancellor Livingston, an apostate from the federal cause, was offered the place of minister of France, but declined it; and Mr. Monroe, a violent anti-federalist, was appointed in his room: Mr. Paca, another, was appointed to the bench of Judges; and Mr. Patrick Henry, the great leader of the opposition in the Virginia Convention, was offered the place of Chief Justice and declined it. Mr. Adams too, appointed several persons who were distinguished for their opposition to federalism, to military, naval and civil offices, and indeed to offices of high trust.

Having accused the former administration of setting the example, Mr. Jefferson, finding that ground untenable, shifted it---and, instead of holding to it as a precedent, says boldly "it calls for prompter cor-"rectives;" and then declares that he will correct the procedure. "I SHALL CORRECT THE PRO-"CEDURE," says he. And how did he CORRECT THE PROCEDURE?---Why, by adopting the very conduct against which he inveighed, and following it, with infinite aggravation. Mr. Adams whom, with indecency truly jacobinical, he vilified, put no one out of office—he merely filled the places, regularly vacated, with federal men. Mr. Jefferson, improving upon what he himself falsely charges and marks as censurable in Mr. Adams, put none but democrats or jacobins into office, and, quite impatient, had not the decency to wait for vacancies for the purpose. No---he would not wait for the man

to die a natural death before he filled his shoes---he knocked him in the head at once. " How are vacan-
" cies to be obtained !---(exclaimed he in the rabies
" canina of his cupidity)---those by death are few,
" by resignation none. Can any other mode then
" but removal be proposed ? This is a painful task,
" (continued he,) but it is my duty, and I meet it as
" such." And truly he did so, till he left scarcely one man in office. One would think that falsehood, deception and wrong appeared so dear to him, and so lovely in the eyes of mankind, that he laid traps for himself, and purposely got into dilemmas, out of which he could not extricate himself without ignominy—that he thought a bad act not worth the exertion of his genius, if he did not decorate it with a number of extrinsic, disgraceful circumstances, and make the drapery as shameful as the deed. For fear any part of the glory of his intended plan of universal dismissal from office should be lost to the public eye, for want of its proper illustration, he exclaimed, speaking of the offices being filled by former administrations with men of one party, "Was it to be
" imagined that this monopoly of office was still to
" be continued in the hands of the minority ? Does
" it violate their equal rights, to assert some rights in
" the majority also? Is it political intolerance to
" claim a proportionate share in the direction of the
" public affairs ? Can they not harmonize in society,
" unless they have every thing in their own hands ?"
Impudent, Gallic interloper!! Let those questions of his be turned upon Mr. Jefferson---how will he answer them? " Is it to be imagined, Mr. Jefferson,

" that this monopoly of office which you have made,
" is still to be continued in the hands of jacobins---
" the minions of France ? Does it violate the rights
" which Bonaparte and Turreau and their French
" faction usurp, to assert some rights in the *Ameri-*
" *cans* (federalists) also ? Is it political intolerance for
" *real Americans* to claim a proportionate share with
" foreigners and French tories in the direction of
" public affairs ? Cannot the democrats, the jaco-
" bins, the French faction and yourself harmonize in
" society, unless they have every thing in their own
" hands ?" Mr. Jefferson, with all his cunning and intrepidity of face, will be puzzled for answers to those queries---still more ought he to be puzzled and confounded with shame when asked this question : " What have you and your jacobin faction left in the " hands of the minority ?" Why, nothing ; for from that time he followed up the system of proscription which he thus openly threatened, till all the faithful servants of the public were chased out of office, many of them indeed consigned to want, and some of the very worst dregs of society, creatures gangrened to the heart with Gallic pestilence, put to fatten in their places. Nor did he stop here. His actions ever since have been an uninterrupted course of warfare against the surviving friends and adherents of Washington.

The tyranny with which Mr. Jefferson exercised his newly acquired power over the federal party and the friends of Washington, was not greater than the zeal with which he entered into the interests of all who had distinguished themselves by their enmity to

that body, and by their hostility and calumny of Washington himself. His political tolerance, of which he had babbled so much in his fulsome style, consisted in the persecution of those who differed in opinion from him; his justice, in the patronage of the most base, low and unprincipled of mankind, and in the protection of foul, convicted offenders from the arm of the law. Scarcely had "the gates of "honour and confidence been burst open to him;" scarcely had he set his foot within that sanctuary, when he began to abuse it---denouncing the administration of his predecessor, and indecently interfering not only with the rights and prerogatives, but with the solemn determinations of the Senate, by quashing a prosecution that had been just commenced by their order. He then discharged several other prosecutions commenced by the United States, and pardoned several other notorious offenders. This part of his conduct deserves particular censure, not only because nothing can be much more injurious or dangerous to society than letting great offenders, who have been adjudged punishment by a judge and jury according to the laws, loose again upon society, emboldened to fresh offences by their impunity---but because it marks the character of the man and shews an inveterate tendency to faction, misrule, disorder and vice---and connects him by a ligament, too strong and clumsy to be disguised, with offenders whose claim upon his protection could have been no other than their having publicly libelled and infamously traduced his two predecessors in office---Presidents Washington and Adams.

If a stranger to his motives were told that Mr. Jefferson had wilfully incurred the censure of every wise and honest man, by stopping a prosecution ordered by the Senate against the Editor of the Aurora, apprized of the magnitude of the encroachment, and of the manifest danger as well as guilt of such a high-handed usurpation of office, and such a breach of that Constitution which he was bound by his oath to keep inviolate, he could not refrain from concluding that there must have existed some very strong motive at the bottom of it. Examining the nature of the offence, he would find that it was of a most unpardonable nature---taking into consideration the objects against which the offence was committed, he would see that they were those which more than any others, had a title to the respect of Mr. Jefferson as a citizen, and to his protection as chief magistrate---namely, the government of his country, and respect to his predecessor in that exalted office. Looking to the character of the offender and his claim upon the mercy of the Executive, he would see before him the most worthless of wretches. In the personal merits of the offender, the President had no ground for his lenity. It must therefore have been in his own heart, to which the offender was endeared by sympathy; or in some equally strong principle of affection that his motive is to be looked for. In the object of his protection he saw the vilifier and calumniator of men whom he hated---the promoter of the system he admired---and the agent and advocate of the nation he most loved. In short, what single ingredient was there wanting in the composition of the man alluded to, that could attract

the regards and engage the attachment, good opinion and interest of Mr. Jefferson. A traitor to his own country and its government---the curse and disturbance of every other in which he had sojourned---a firebrand---an insurgent, and a jacobin of the very worst description---a calumniator, a shameless falsifier---a fugitive from the justice of his native country---a disturber of the peace, and, under the mask of a brawling patriot and demagogue, a traitorous enemy to that of his adoption. As a foreigner, naturally destitute of the sympathies which unite Americans to each other---having no regard to honourable character, either in himself or this nation, he could have no view---no end but his own interest;---and utterly destitute of wisdom or laudable knowledge, he had no instrument with which to work but malice and falsehood. His very first essay in America was a letter to General Washington, under the fictitious signature of Jasper Dwight---a production which, for the depravity of the heart that could dictate it, for insolence of temper and scurrility of language, stands unsurpassed even in the multitudinous effusions of turpitude which have long conferred such ignominious distinction on the press of the Aurora. This outrage upon Washington was the first thing which afforded the author a claim upon Mr. Jefferson's particular kindness, and marked him out as a proper object of that gentleman's patronage and protection.

The mutual attraction of kindred minds had brought this fugitive into contact with the notorious Bache, of whom mention has been made in an extract from a letter to General Washington. The

public soon felt the coalition, for from that time the columns of the Aurora, more than those of any other paper, infamous before, became now truly diabolical for every falshood which inventive villany could devise; and the favourite of Mr. Jefferson lived upon the wages of detraction, and the murder of the best men's characters. In good time Bache was called off to receive his eternal reward, and his coadjutor succeeded to the management of the Aurora, and to the possession of the lady relict and her property. He now gave an unbounded loose to his natural malignity, and uniting to him, in the support of France and its faction and friends in America, a whole tribe of convicts and traitors from the British islands and from France, and all the home-bred villains of the land that he could draw to him---atheists, bankrupts, demagogues and public nuisances, he calumniated Washington, mocked justice, encouraged insurrection, blew up the flame of public discord, blasted private character, reviled government, and derided morality, religion and God. Mr. Jefferson, knowing all this, or, to speak more accurately, because he knew it, gave this being his patronage and support. In the heat of his zeal for the virtuous cause he had espoused, that calumniator uttered a most flagitious and daring libel upon the Senate of the United States. The Senate, by a resolution of their House, directed that the libeller should be prosecuted;—and Mr. Jefferson himself, then the President of that very body, was the organ through which that House directed the prosecution. The Grand Jury of the Pennsylvania district presented it;—And Mr. Jefferson, soon after he

became President, usurped the unconstitutional authority of ordering the prosecution to be discontinued.

If other proof had been wanting, this one act would have been sufficient to establish the charges before made against him, of having procured the libelling of Washington, Adams, and their cabinet ministers, and of his having been privy to the whole scheme of the French faction in the United States, whose agent the atrocious libeller, between whom and justice he interposed the shield of usurped and unconstitutional power, was known to be. Of a more unjustifiable, and, indeed, intemperate act of violence, he could scarcely have been guilty—Unjustifiable, because it was certainly a gross violation of the Constitution. In committing it he in fact said, "I have a right, and "I hereby exercise that right, to direct the Attorney "General for the United States, that he shall not fur- "ther prosecute indictments found by Grand Juries "against violators of the law, and depending in the "courts of the United States." That he did it to skreen an offender whom he knew to be guilty, is obvious, because he was well assured that if the party was innocent he would have been acquitted. And thus we see the pompous declaimer upon liberty and the rights of man, usurping a prerogative which that great and independent magistrate, Judge Holt, thought much too great a stretch of prerogative in the sovereign of Great Britain, and a fatal engine to be directed against the public rights. If Mr. Jefferson thought the party guilty, with what pretension to decency could HE, WHO HAD SWORN TO SEE THE LAWS FAITHFULLY

EXECUTED, interpose the arm of executive power to snatch the wretch from the justice of a country against which he had perpetrated an atrocious crime? Did he say that the offender was not guilty? How dared he to presume so, till the matter was tried? But perhaps he would say that the judiciary was not to be trusted to try a man so obnoxious to their dislike.---If he did, and acted upon it, then has he violated the Constitution of the United States, and established a precedent upon which succeeding tyrants may ground and justify the most outrageous usurpations of prerogative over the judicial authorities of the land, and may, in imitation of Mr. Jefferson, see the law faithfully executed, *according to their oaths*, by stopping all proceedings upon indictments. That it was his view to establish such a precedent, appears highly probable, or, rather, nearly certain; for, if it were not for that purpose, why might he not have waited till after trial, when, if the culprit had been found guilty, he might legally, and without any violation of the Constitution, have pardoned him. Strange, unpardonable offence, in a chief magistrate, who had SWORN to see the laws faithfully executed, to make a breach in the Constitution, and, rushing into the sanctuary of the government, and trampling upon the prostrate rights of his fellow-citizens, to interrupt the process of the laws merely to snatch from the hands of justice a delinquent who never spared any one himself—never left uninflicted a wound that it was in his power to give. But the stopping of the prosecutions was not the most blameable part of this outrage. He not only superseded the judicial authority by usurp-

ing that prerogative, but by declaring, in a letter which was published, the sedition law unconstitutional, though it was then unrepealed and in full force. And what made the outrage more unpardonable was, that the judicial power had, in various charges from the bench, declared that law to be constitutional.

Such acts of malversation are fitter subjects for legal impeachment than private satire. The pardoning of the most infamous culprits is a crime which, however pernicious to the temporary concerns of the country, would be beneath the notice of history, if the power and influence of the offenders did not shelter them from the scourge of the law and the correction of justice. They are here particularly noticed for the purpose of shewing the unprincipled ambition of those pretended zealots for liberty, who have for eight years ruled and disturbed this once happy and free country—to fix upon record those irrefragable testimonies of their dispositions and designs, and to establish a lasting chain of connection between the democratic leaders of America, and the government of France. There can be no doubt hereafter entertained of the morals as well as politics of that man who rewards the cut-throat calumniators of Washington, Hamilton, Pickering, and that band of worthies—who turns out of office men the most justly respected and beloved by their fellow-citizens to make room for such men as now fill them—and who takes to his bosom such persons as Dearborn and Callender, Wilkinson and Duane, Abraham Bishop, Alexander Wolcott, Madison and Tom Paine.

It may with truth be asserted, and it shall be proved, that Mr. Jefferson, since he became President, has usurped to himself several prerogatives, the exercise of which by George the Third would create a rebellion in Great Britain. If that monarch were TO BREAK HIS CORONATION OATH by interrupting the course of the laws and preventing their execution; if he were to attack the judiciary, and denounce the Chief Justice for not "breaking into the bloody house "of life" to gratify his tyrannical resentment; if he were to deprive a subject of his liberty contrary to the express provisions of the constitution and the letter of the law; if, in connivance and combination with a foreign despot, he were to attempt to extinguish the commerce of the country; if, by means of a corrupt influence obtained over the parliament, by bribing its members with the offices and emoluments of the empire, he were to put one half, and that, though the less numerous, by far the more good and valuable half of his people, under proscription, shutting them out for the purpose of making way for French agents and foreign culprits and conspirators against his country; or if, under the base influence of fear or foreign corruption, he were to attempt to shut out his kingdom from all intercourse with the world;---he would in a few months find himself as much deserted as was his ancestor, James the Second, and, perhaps, in the end, share the fate of Charles the First. Assuredly all the faults, foibles, errors and abuses scattered through the whole life of the latter, including star-chamber, ship-money, and all those stretches of royal prerogative, which, in those days of darkness,

when despotism was in fashion, brought the comparatively moderate Charles to the block, were not, taken all together, equal to the tyrannical encroachments of our democratic administration upon the Constitution of America, and the rights and privileges of her credulous, too confiding people.

In May, 1800, an unfortunate man, the crimes of whose life must now be permitted to rest half obscured in the shades of a tragical death, was found guilty of a most foul and execrable libel upon the then existing chief magistrate of the United States, adjudged eight months imprisonment, and fined two hundred dollars. The jacobins raised the money to pay off his fine by subscription, and he paid it to Mr. Randolph, the Marshal of Virginia, who discharged him from custody. Scarcely was Mr. Jefferson seated in office, when he gave orders to Mr. Randolph to pay the two hundred dollars, so paid to the Marshal, back to Callender. Mr. Randolph, of course, obeyed the President's order, and having, in his public accounts with the treasury, first credited the public with the sum which he had received and paid in, now set it down to their debit as "so much returned to Callender by order of the President." The treasury, however, would not settle accounts with Mr. Randolph till both articles (debtor and creditor) were expunged. This extraordinary assumption of power attracted the public notice. That so distinguished a mark of partiality should be shewn to Callender by Mr. Jefferson, did not at all surprise those who knew both the persons. Callender had flown for treason

from his own country, in which he had endeavoured to excite rebellion and produce a revolution—a strong recommendation, no doubt, to Mr. Jefferson. Callender was a zealous advocate of misrule, revolution in general, jacobinism, France and infidelity---another great recommendation to Mr. Jefferson. Callender had abused the British government---censured and run down the federal Constitution, and applauded the bloody and ravenous rulers of France---no small recommendation to Mr. Jefferson. Callender abused Washington, calumniated all that great man's friends and partisans, and most atrociously vilified President Adams, calling him, among other abominable names, "A HOARY TRAITOR"---what more could be wanting to recommend him to Mr. Jefferson? As Callender had not the good luck to be found guilty and fined a second time, and therefore could not be again rewarded for his virtuous deeds out of the treasury, and as Mr. Jefferson had for some time declined giving away benefactions at his own expense, (thinking, probably, that generosity to others would aggravate the shame of his unjust tender of depreciated paper-money to Mr. Jones, in payment for his cash lent,) Callender quarrelled with him, and like one of Actæon's hungry pack, fell upon his master, publishing all he knew about him, giving to the world the whole account of his (Mr. Jefferson's) privity with him in that infamous publication, "THE PROSPECT BEFORE US"—his reading and correcting some of the sheets of it, his sending him money during the time, and by letter approving of and applauding it—and declared, by way of aggravating

Mr. Jefferson's ingratitude to him, that it was to him (Callender) he owed his election to the presidency; an assertion which few will feel disposed to controvert, since such a pernicious effect may well be supposed likely to be produced by so detestable a cause. By a special law it was provided, that no money should be drawn from the treasury but on a specific appropriation---and this law was vehemently insisted upon by the faction at the time when the charge against Washington of drawing money from the treasury before it became due, was agitated. His drawing the fine of Callender back from the treasury, was a most complete breach of that law---and the disgrace of his partiality to Callender, is aggravated by the criminality of that breach.

Having, thus, by various violations of the Constitution, and by straining his ill-got influence far beyond the reach of any royal prerogative, established himself in a kind of throne, and obtained for Virginia a decided ascendancy in the great councils of the Union, he found little difficulty in trampling upon the privileges of the lesser States. Overawed, corrupted, deluded or deceived, their Representatives no longer made a stand; while he, throwing upon Congress the perpetration of all his purposes, and the responsibility annexed to it, with an address truly astonishing, invested himself with all the power, without any of the dangers, of sovereignty. Having battered a breach in the outworks of the Constitution, his rabble of legislative mercenaries took it by storm and got possession of the citadel.

While the President was thus lamentably active in injurious measures to his own country, he displayed coördinate industry in the cause of his friends---the French. The former President had not so sedulously cultivated the good graces of that nation, or so industriously studied their politics or politeness.--- There was about him a smack of antiquated British surliness, which he thought became Americans better than French fawning and hypocrisy ; and he had actually instructed the national vessels of war to fight the piratical ships of the French republic in the old fashioned way, and to do them all the harm possible; not in Mr. Jefferson's style, by proclamation, skulking and embargo, but by good hard knocks--- in the very way of their ancestors. In consequence of these downright and intelligible orders, several French vessels had to come captive into our ports, after having, with great superiority of force on their sides, sustained most shameful defeats. This, like a poisonous mineral, gnawed the very vitals of the French faction, who deplored the fate of their brother jacobins, and greatly blamed the barbarous, ruffian crews of America, who had fought them, not as if they were friends, nor made a children's play of their warfare. Le Berceau was one of these vessels--- she attacked the gallant commander and crew of the Boston frigate, and was brought in captive, almost a wreck, with drubbing. This was an unpardonable offence in the opinion of the democrats. A charge was made ag inst the officers and crew of mal-treating their prisoners, of cruelty, and of pillage. The captain was tried, and FULLY AND HONOURABLY ACQUITTED, by a court-martial---but the beating of

the French was a crime not to be forgiven by the Executive, and the captain was dismissed the service.

Mr. Jefferson, however, did not think this satisfaction sufficient to assuage the angered dignity of the beaten French. By the late treaty with France, it was among other things stipulated, that ships taken on either side, or which might be taken before the exchange of ratifications, should be given up. Mr. Jefferson would do more than fulfil the treaty: he did not think it proper to return the *Berceau*, according to the stipulation in the treaty, in the condition she was in when captured. No---he would have her put in perfect repair. The Boston too was very much damaged in the battle---but it never occurred to Mr. Jefferson to demand of the French government to put her in repair also. In this gratuitous act of generosity at the national expense, it is evident that the President never thought of fair reciprocity, or of demanding of France the same measure he made his country render to her. Had the infraction upon the rights of the Union been confined to the mere pecuniary expenditure, it might have been overlooked or soon forgotten, along with the many other defalcations made by persons of his appointment. The public revenue can easily be repaired, but the effects of the violation of the constitutional laws are felt for a long time. Without any special appropriation made for the purpose, without any order or consent from the legislative representatives of the people, he disbursed the expenses of repairing the Berceau; thereby giving a new wound to the Constitution, and establishing a precedent of the most dangerous and unwarrantable kind.

CHAPTER III.

CONTENTS.

Opening of the Session of 1801---President's Message---Attack on the Judiciary---Occlusion of Americans from New-Orleans, and other aggressions by Spain---Rights of Naturalization by foreign emigrants enlarged—Treaty with Tripoli obtained by perfidy to Hamet Bashaw---Shameful treatment of General Eaton.

CONGRESS again met on the eighth of December, 1801.---Innovation was now the rage; and the President being on many accounts, resolved to diverge as far as was practicable from the track of his predecessors, thought fit to depart from the established mode of opening the sessions, and, instead of making a speech face to face with Congress as Washington and Adams had done, sent a message. As might have been expected from him, every word of this message was calculated to catch the multitude, and to procure him popularity at the expense of principle and of the true interests of the country. The subjects it recommended to notice were various, and demanded, each, separate consideration; distinct however as they were of themselves, they all had evidently one and

the same end; that of attracting the partial regard of the people, of establishing his faction in the dominion of the States, to the exclusion of the federal party, and of erecting a permanent despotism on the basis of influence to be obtained by the prostitution of patronage to the purposes of corruption. Through every part of it there was perceptible that affectation of tenderness for all mankind, and that moderation of political measures which had all along been the stalking horse of the machinations of the French, and the never failing forerunner of the worst atrocities of Robespierre, his associates and successors. A prudish coyness of power and still more so of the extreme exercise of it, which to the most shallow penetration betrayed a secret, lurking ambition of the most enormous grasp---an ambition which aimed at something so much greater than that which the laws and Constitution of his country imparted to him with his office, that it suggested the seeming of a desire to disclaim the latter, as a lure to catch his ultimate object. In prosecution of this his extraordinary experiment, he informed Congress, that "Tripoli had come "forward with demands founded either in right or "compact, and *had permitted itself* to denounce war "on our failure to comply on a given day."---and he goes on and says---"The style of this demand, admitted but one answer. I sent a small squadron "of frigates into the Mediterranean, with assurances "to that power of our sincere desire to remain in "peace; but with orders to protect our commerce "against the threatened attack---the measure was "seasonable and salutary. THE BEY HAD ALREA-

" DY DECLARED WAR IN FORM. His cruisers were " out, two had arrived at Gibraltar. Our com- " merce in the Mediterranean was blockaded; and " that of the Atlantic in peril. The arrival of our " squadron dispelled the danger. One of the Tri- " politan cruisers having fallen in with and engaged " the schooner Enterprise, commanded by Lieu- " tenant Sterrett, which had gone out as a tender to " our larger vessels, was captured after a heavy " slaughter of her men, without the loss of a sin- " gle one on our part."—Well then! what follows? ---why the cruiser, thus taken by our gallant countrymen, is very politely given back again. On what grounds?---Why purely on the pretended want of authority in the Executive to keep her without the sanction of Congress. When posterity, unmindful of the very extraordinary character of this man, shall contemplate this shameful transaction, they will stare with astonishment on reading first, that " THE BEY HAD " ALREADY DECLARED WAR IN FORM." And that in one dozen lines afterwards the same chief magistrate who announces such an unjust and unprovoked attack upon his country, delivers in the eyes of the world, these words to the great legislative council of his nation. " Unauthorised by the Constitu- " tion, without the sanction of Congress to go be- " yond the line of defence, the vessel being disabled " from committing further hostilities was liberated, " with its crew. The legislature will doubtless con- " sider whether by authorising measures of offence " also, they will place our force on a footing with " that of its adversary."---On an act of such mani-

fest misconduct, bolstered up with such an extravagant, self-evident paradox, such a gross absurdity, history scorns to enlarge. A bare relation of the fact is enough. The person who is capable of reading so many pages of letter press cannot stand in need of any aid, to comprehend the whole affair in all its bearings. It may, however, be worth while to analyze it, in order to record, in the abstract, the doctrine of the democratic chief magistrate---THE MAN OF THE PEOPLE of the United States, that "BETWEEN TWO "NATIONS THERE MAY EXIST A STATE OF COM-"PLETE WAR ON THE ONE SIDE---OF PEACE ON "THE OTHER."†

One of the objections, and indeed it was a leading one, made by the opposition to the Federal Constitution was, that too much power was deposited in the hands of the Executive. Mr. Jefferson who was the foremost of those objectors, but who has since he became President, evinced that he has no objection to extreme power in that branch of the government, provided that power be lodged in himself, exercised in his own mode, and unincumbered with responsibility, saw the necessity, on his coming into office, of keeping his word of promise to the ear, and of seeming to despoil the executive office of as much of its constitutional power as possible; and to that end made this shameful sacrifice of the constitutional energies of the government, at the expense, besides, of sound principle and of public property; being all the time,

† The words of that sagacious and exalted statesman General Hamilton.

however, resolved to reprise himself in a much worse species of power; that is to say, power by influence, wheedled it from the unthinking multitude by specious but treacherous pretences to relaxation and concession, and from the people's representatives by donations of place, and official emoluments. Indeed a much greater misfortune can hardly befall a country whose government is elective, than the choice of the people falling upon a signal demagogue. Long before he gets into office he has boasted and professed away all sound principle, and promised away all the best energies and interests of the state. Mr. Jefferson was not superficially instructed in all that is foolish and mischievous in the will of the multitude, and was convinced that his way to power lay through vulgar popularity; and his way to popularity through flattery, applied to the vices and madness of the people, and through the encouragement of their impatience, under the restrictions of laws and imposts of every kind. He therefore sedulously endeavoured to impress the people with an abhorrence of all the measures of his predecessors in office, with a dislike to contribution by tax to the public revenues---and with hatred to the judiciary and to the laws. Knowing too, how much mankind are swayed by local attachments and that, how grand soever the general government of the Union might sound in the political world, and how necessary soever it was to the safety and independence, the prosperity and honour of the whole, the warmest affections and partialities of each individual would still be bestowed upon his own particular State, where moreover his interests and

hopes naturally lay, he did not omit that occasion of promoting his popularity by professing a marked preference for the State governments, and did every thing to render them more dear to the people, and more the objects of solicitude. Thus pledged as a demagogue to certain principles, he would have found it difficult, as President, if he were ever so much disposed, openly to renounce his protestations, and make a bare-faced public forfeiture of his pledges :---In this his second message therefore, he at once took a decided position and in conformity to his conduct when in a private inferior station, stept forward, advising a renunciation of the internal revenue, attacking the judiciary, and casting a very insidious, if not hostile glance at the general government, and its inferiority in the scale of public concern to those of the separate States. "When we consider," says he, "that "this government is charged with the external and "internal relations only of those States; that the "States themselves have the principal care of our "persons, our property, and our reputation, constitu-"ting the great field of human concerns, we may "well doubt whether our organization is not too "complicated, TOO EXPENSIVE; whether offices "and officers have not been multiplied unnecessari-"ly and sometimes injuriously to the service they "were meant to promote." This contains an insinuation of a very ungenerous and base kind against his predecessors, which as soon as it had served his purposes of delusion he without ceremony cast quite out of sight; adding considerably to the salaries and expensiveness which he thus condemned. He open-

ed the session flattering the nation with professions of a purpose to retrench the expenses of the state, and to hold up an example of œconomy; and before the session was over he increased the salaries of all the creatures in office about him whose aid or influence were of any consequence to his schemes. Under the specious pretence of œconomy he broke in upon and lopped off the judicial branch of the government, reduced to nothing the military and naval strength of the country, and deprived it of its most fruitful, certain and equal source of revenue: but stopt his plan of retrenchment when he came to the salaries of the executive officers, and made the ingenious discovery that what was true with respect to others, was not true with respect to them---and that while the servants of the public in general received too much compensation for their labour, those about his person and cabinet afforded their services for too little. He therefore generously resolved to "correct "the procedure," and increased the salaries to the following amount:

Secretary of the Treasury, from	$ 3500	to	$ 5000
do. of State, ...	3500	. .	5000
do. of War, ...	3000	. .	4500
Comptroller of the Treasury, .	2250	. .	3500
Auditor, ...	1500	. .	3000
Treasurer, ...	2400	. .	3000
Register, ...	2000	. .	2400
Attorney General, ...	2400	. .	3000
Commissioner of the Revenue, .	2400	. .	3000
Accountant of War Department,	1200	. .	2000
of Navy Department,	1600	. .	2000
Post Master General, ...	2400	. .	3000
Assistant do, ...	1200	. .	1700

Examining this very immodest and sturdy proceeding, it will be found attended with a very extraordinary circumstance. Mr. Jefferson gives to Mr. Albert Gallatin (a Genevese foreigner, who could scarcely speak our language, who was chairman of the insurgent meeting at Pittsburgh at the time of the western insurrection, and whom for these and such like services he placed in the office once held and moulded into shape by the illustrious General Hamilton) fifteen hundred dollars a year salary more than he, the said Genevese foreigner Albert Gallatin, thought it reasonable to allow to his predecessor.

Mr. Jefferson now began to be assured of his complete ascendancy over the Congress.—To use a phrase sufficiently intelligible to the horse-racers of Virginia, he, like a skilful jockey as he is, felt that "he had the creatures in hand," and he resolved to keep them to it. The democratic influence, which had raised him to power, increased with the success of its leaders, and the nation, like a projectile in the physical world, every moment fell downwards with uniformly accelerated velocity. Every new election made the Congress more devoted to the President, by giving to it a new accession of ignorance or vice —of corrupt or corruptible matter. Secure, therefore, of support on that side, he felt that he had nothing to apprehend but from the third branch of the government—the Judiciary. Constituted as the majority in Congress was likely soon to be, and in fact soon after was, there was nothing in it to raise a barrier to his projects, which very soon openly de-

veloped themselves.---He perceived that he was to have in that body, as it would be returned by the people, a parliament, the majority of which would go heart and hand with him in his prejudices and purposes in favour of France, which would comply with all his desires, carry him through the puddle as well as the clean road of his measures, and suffer him to yoke them to the responsibility, which in justice ought to be attached to himself, as the author of his own schemes of policy. But it was otherwise with the Judiciary---learned, wise, cautious, penetrating and vigilant, sharpened by the study and practice of the law, and above all, constitutionally independent of either the legislative or executive branches of the government, that body presented a formidable barrier to the attainment of that despotism, to which, for purposes hereafter to be explained, he, not very secretly, aspired. As the laws are the worst enemies of a lawless faction, an independent and incorruptible bench of Judges administering laws, were but so many obstructions, which like black clouds congregating before the thunder storm, darkened his views, and might, he feared, some time or other, burst in destruction upon his head. He resolved, therefore, upon destroying it by cabal, or at least rendering it sufficiently ductile for his purposes. In his speech, therefore, he glanced at, and not very indirectly censured the late increase in the number of federal Courts. It had been for a long time complained of, because severely felt, that the former plan of judicial administration, though a little, and indeed but little less expensive than the in-

creased arrangement, was inadequate to its object, and incapable of proper execution. Every one who knows the vast extent of the United States, will perceive at once, that six Circuit Judges was incapable of due attendance on all the public calls for justice. In effect the duty was so heavy, that it became a grievance too great for any man long to endure, who was qualified for the office. Immense journies through countries ill supplied with accommodations for travellers, and an absence of many months from their homes and families, were hardships enough to banish from the Courts, men of talents and of character in society. Nor was this all; the regular administration of justice was subject to be interrupted, and often was so injuriously delayed, as to lose the property and character of justice, by temporary ill health in a Judge---by casual accidents on his journey---and by the shortness of time, which the necessity of visiting, within a given period, the numerous and distant parts of an extensive circuit, allowed to the sessions of each Court. To increase the number of Judges, or abandon the circuit system altogether, therefore, had become absolutely necessary; and in consequence of this, a new and enlarged establishment was appointed by Congress, during the late administration. The original establishment consisted of one Supreme Court with six Judges, who, twice a year, made the tour of the United States in three circuits.---The increased establishment had twenty-three additional Judges.---As soon as the design of the President, hinted at in his speech, was brought forward in Congress by some of his minions

it created a pretty general alarm among all Americans; those excepted who were resolved to carry him through the thick and thin of all his projects. The wise and judicious men of the country, saw in it the commencement of a deliberate plan for the overthrow of the whole Constitution. As the question was one, in the decision of which, reason and knowledge only ought to preside, and which ought not to be voted down by party clamours, or carried through with corrupt influence, the weightier men of profession in the States, thought themselves called upon to oppose their opinions and reasonings to the measure; and with the exception of a few and but a very few, of those who had either in promise, expectation or reversion, hopes of presidential favour, remonstrated against it. The memorial of the gentlemen of the bar of Philadelphia, was particularly deserving of the consideration of the Legislature, as coming from men as highly qualified as any men living, to form a judgment of the measure, and because it was taken out of all suspicion of having its root in party prejudice, by the names of some of Mr. Jefferson's most strenuous advocates and political friends being found among the signatures. As the names of M'Kean and Dallas were sufficient to clear it of all imputation of party purpose, the name of Edward Tilghman alone, conferred upon it every claim to attention and respect, which impartiality, integrity, wisdom and learning could impart. The memorial was as follows:

"The subscribers, counsellors practising in the "Courts of Pennsylvania, and in the Circuit Court

" of the United States for the eastern district of " Pennsylvania,

" Respectfully represent---That they do not consi- " der it consistent with their professional duty, to " remain silent observers of a bill now depending " before the Senate of the United States, entitled a " bill to repeal certain acts respecting the organiza- " tion of the Courts of the United States, and for " other purposes.

" That they do not, however, undertake to express " an opinion to the Legislature of the Union, on " questions of a constitutional or political nature, but " confine their representation to facts, upon the na- " ture and intent of which they hope that they may " be deemed competent to give information.

" That under the former law the greatest inconve- " niences were experienced by the Court, by the bar, " and by the suitors. The Judges were constantly " engaged in traversing the several States, with little " opportunity for reflection or repose. The same " Judge who saw the origin of the suit, or who gave " the interlocutory orders in its progress, seldom " pronounced the final decision. Judges presided " in States, the laws, usages, and practice of which, " were essentially different from the laws, usages " and practice of the States in which they were re- " spectively educated; and without adverting to the " casualties of indisposition and of weather, the in- " evitable consequences of the late system were em- " barrassment, uncertainty and delay. That al- " though the members of the bar of Philadelphia,

"may be supposed to differ in their political senti-
"ments, they unanimously concur in testifying the
"sense they entertain of the great abilities, learning
"and integrity of the gentlemen, who at present fill
"the offices of Judges of the Circuit Court of the
"United States, for the third circuit. The scene
"of business has already been extensive beyond all
"anticipation, and the increasing confidence of the
"public, as well as of the profession, promises to
"render the Court an honour and a benefit to the
"nation. Causes of the greatest interest have been
"heard with exemplary patience and candour---have
"been decided with caution and firmness, and the
"foreigner as well as the citizen, has received an
"ample assurance of the prompt and impartial ad-
"ministration of justice. In the State Courts, in-
"deed, although filled by gentlemen in whose talents,
"learning and integrity, equal confidence is deser-
"vedly placed, and whose patience, candour, cau-
"tion and firmness are equally displayed, so many
"suits are depending that a speedy termination of
"causes is no longer in that quarter to be expect-
"ed.

"That under these impressions, as public and pro-
"fessional characters, the subscribers respectfully
"submit their unanimous opinion, deliberately and
"anxiously formed, that the Circuit Court, on the
"principles of its present organization, is an impor-
"tant medium for the administration of justice, and
"that the abolition of the Court will probably be at-
"tended with great public inconvenience.

Signed,

" *Jared Ingersoll*,	" *Moses Levy*,
" *Edw. Tilghman*,	" *Sampson Levy*,
" *Wm. Lewis*,	" *John H. Brinton*,
" *Wm. Rawle*,	" *Wm. H. Todd*,
" *A. J. Dallas*,	" *Jona. W. Condy*,
" *Jos. B. M'Kean*,	" *Thos. Ross*,
" *Chas. Heatly*,	" *Henry Wikoff*,
" *Chas. Swift*,	" *Jas. Milnor*,
" *Peter S. Duponceau*,	" *Edw. Shippen Burd*,
" *John Hallowell*,	" *Elihu Chauncey*,
" *Jos. Hopkinson*,	" *Bird Wilson*,
" *Michael Keppell*,	" *Wm. Sergent*,
" *Jas. Gibson*,	" *John Sergent*,
" *C. Read*,	" *Horace Binney*,
" *Wm. Meredith*,	" *John B. Wallace*,
" *John R. Smith*,	" *Chas. Chauncey*,
" *Chas. W. Hare*,	" *Walter Franklin*,
" *Jos. Reed*,	" *John Ewing*."
" *Thos. B. Zantzinger*,	

As public convenience or public good, however, were not exactly the objects of the authors of this measure, nothing was further from their minds than the expediency or inexpediency of the Circuit Judges to the country—or the expensiveness or œconomy of the measure. The point of the pickaxe was directed against those particular Judges; but its effect was intended for the whole fabric of the Judiciary, and ultimately for the Constitution itself. The annihilation of existing Judges by Congress, implied a right which might be used to defeat the provision in the Constitution which fixes the duration of the Judge to

be coextensive with his good behaviour, and to deprive the judicial office of that independence so essential to the preservation of the country's freedom, the security of the citizen, and the safety and permanence of the government.

Violations of the Constitution had now been so frequently and so successfully attempted, that it seemed as if the faction in power and its chief, thought that they were omnipotent in matters of policy, and might destroy the very instrument under which they had their tenure. The Judiciary was an independent branch of the government, just as much as was the Executive or the Legislature---nor was it competent to those two to encroach upon it, in any shape, save by impeachment of individual Judges for misconduct. This principle was urged by some of the wisest men, and supported by arguments which, being incontrovertible, were passed over in silence by the faction, who contented themselves with votes far more effectual than any reasoning, and impudently told the people that they conferred upon them a most important benefit---that is to say, a saving of sixteen thousand dollars a year, for which nothing was taken from them but their constitutional independence. In other words, a saving of that sum was the sole pretext for that destructive measure. But that it was only a pretext, appeared from the subsequent conduct of the Executive to the Judges. The impeachment of Judge Chase should never be forgotten. His acquittal was one of the most fortunate events that could befal the Union---one, which Americans should ever mark down in their calendar

as a festival, the anniversary of which should be celebrated with thanksgiving to God, and a grateful recollection of the residue of virtue which still lingered in the Senate, before whom the impeachment was tried. To that acquittal it is owing that the Judiciary still exists the defence of the constitutional rights of the country, and the shield of individual innocence against the malice of party and the oppression of a vile, democratic despotism.

In considering this subject, the presidential prerogative of dismissing the possessors of office from their places, and the question whether that prerogative be rightful or usurped, naturally occurs; and both together lead to the consideration of a point of some moment---that is, whether, politically considered, the President of the United States ever dies :--- whether, in the eye of the Constitution, for example, the act of the President of the year 1800 is not binding on the President of 1802---the office being the same, though the men who filled it are different. If it be not so, the consequence is, that every four years a change might be made in all the arrangements of government injurious or even fatal to the country.

On the demise of the crown in Great Britain, on a change in administration, or any other account, excepting misbehaviour or incapacity in the object, the successor, whether to the crown or to the administration, has no power to remove men from office, those only excepted who, from the nature of their offices, cannot be supposed to have a tenure in it, beyond the will of the employer. This is a question, the decision of which does not rest upon opinion at

this day. It is common law, and stands on the books, so adjudged. It has been solemnly determined against the King by the British Judiciary. The law, as laid down by the Bench, is this: "If a man have "an office granted to him, so long as he shall behave "himself in it he has an estate for life in that office; "EVEN IN THE CASE OF THE KING, WHOSE GRANT "SHALL BE TAKEN MOST STRICTLY AGAINST "HIMSELF."

In the case of Harcourt versus Fox, Modern Reports, vol. 4th.---and again in Shower's Reports, vol. 1st---in several parts (suit against the King) this was declared to be the law, and the Judges, on declaring it to be so, delivered the following opinion:

"In this respect the wisdom and policy of the law "is very great; because when men hold their offices "for life, it is an encouragement to the faithful ex- "ecution of their duties. It is then, also, they ac- "quire knowledge and experience in their employ- "ments, having a durable and fixed estate therein, "and not being liable to be displaced at the pleasure "of those who put them in. And the grant shall be "construed most favourably to answer the intent of "the law-makers, *whose design is to have the office* "*well supplied*, which will be best effected when the "officer has an estate for life."

Such is the law and such the wise and honest practice---such too are the Judges, and such their power, even over the King himself, in that country which Robespierre, Tom Paine and Mr. Jefferson, *et id genus omise*, have pronounced to be a despotism. In contemplation of law---in sound policy---in common

sense and common honesty, therefore, the grants of office by Washington and Adams were binding, not only on themselves, but on their successor. But that successor has avowed and established a principle, by inference, from his dismissals, and by his reasons for them, as given in the answer to the New-Haven remonstrance, directly the reverse of the venerable British Judges. "*The design of the law-makers* (say the "latter) *is to have the office well supplied.*" But says the former, "*The design of the office is to supply the "Executive with the means of bestowing favours and "emoluments on his creatures---not to do the public "business.*"

The repeal of the internal taxes marks the purposes of administration no less than any other of its measures. To drain popularity from one set of the citizens, and wreak vengeance on the other, has been shewn by Mr. Jefferson in his conduct, and confessed by him in his answer to the New-Haven remonstrance, to be the great object of his wishes. The repeal of the internal taxes went a great way in accomplishing this two-fold object. To please the mob, and at the same time to supply them with the means of intemperance and intoxication, supplementary to his own delusive flattery, he contrived to take off the excise upon whiskey, and not to impair his interest with the rich and influential men of the Union, he, by way of relieving the poor, or to use his own quaint words, "the mouth of labour," from impost, took off also the tax upon coaches, post-chaises, loaf-sugar, and such-like articles of the first necessity, inverting the very order of just taxation, which

should lean its heaviest weight upon luxuries, and lighten as much as possible that upon the more immediate necessaries of life. For time immemorial the word excise has been hateful to the ears of Britons. Americans may be said to be born with an hereditary abhorrence to it. The wise and magnanimous Hamilton, disdaining to purchase popularity by deluding or flattering the people to their own injury, magnanimously told them---" You owe money " and you must pay it---you can pay it only by tax- " ation---therefore you must be taxed---and as the " burthens of taxation ought in common honesty as " well as policy to lean with equal weight upon the " whole community according to their means, you " must submit to an internal excise." Mr. Jefferson on the contrary told the farmer, " you ought not to " pay any thing towards the supply of the public " exigencies. You in common with the merchants are " debtors, you enjoy the benefits resulting from the " credit which the nation obtained ; that credit you " have jointly received, and jointly do you both owe. " But be it my part, and that of all who think and act " with me, to exempt you from your share in the " taxation which must be resorted to, for the pay- " ment of those joint debts. I will make the mer- " chants pay for both." So when the deficiency created by the repeal of the internal taxes, called for the substitution of others, duties upon merchandize were of course resorted to. Here to the enjoyment of mob-popularity, Mr. Jefferson added the luxury of injuring the commerce and the commercial men of the country, to both of which he had been long known to entertain an inveterate and fanatical hostility.

And here it may not be irrelative to the subject to pause upon those insidious practices upon the public credulity, and to prove the insincerity of their author by condemning him out of his own writings. Ever since the long-reaching visto of ambition had opened to his view, and the doors of honour and confidence seemed likely to be burst open to him, his conduct had been at antithetical variance with his pre-established principles. To adopt his own style of writing, that interesting object so calculated to excite the most refined sensibilities, and engage the most philanthropic sympathies of the tender and susceptible heart, viz. the mob---for whose 'mouth of labour' and its privations he felt of late so tremblingly alive, and in whose behalf he was so enraged with Edmund Burke for calling them "the swinish multitude"---he, this same worshipper of theirs, did, in his Notes on Virginia, pages 273, 274 and 275, compare to *running sores*. Nay, more, in the same book, he actually inculcated the doctrine of direct taxation---demonstrated its reasonableness, and by a well-drawn representation of its productiveness, and the ability of the people to pay it without injury, enforced the policy of laying taxes so heavy as no federalist ever thought of. "We ---(says he, speaking of Vir-"ginia alone,)---we could raise, and *ought* to raise, "from one million to one million and a half of dol-"lars annually, and this in specie"—(page 286.) And in page 293, he observes, "the value of lands "and slaves doubles in about twenty years. The "amount to be raised will rise in the same pro-"portion." Now, when it is considered that

the book alluded to was written in 1782, that is to say, twenty-six years ago, it will be seen to follow of course, that Virginia alone could now contribute to the exigencies of the Union, by Mr. Jefferson's calculation, three millions and forty-five thousand dollars per annum. But giving up the forty-five thousand and stating it at three millions for Virginia, (and who will deny Mr. Jefferson's word upon the occasion,) the United States on a fair estimate at the same ratio, could easily contribute twenty millions of dollars. Yet when the United States called for only two millions, all together, the democrats and demagogues, with Mr. Jefferson at the head of them, called down popular clamour upon it.

Being upon this subject, it will be to the purpose to proceed with it.

How was it that Mr. Jefferson proposed to apply such an immense revenue? Let him answer for himself in his said book, page 289!!!

That immense revenue was to be expended in SUPPORTING A FEDERAL ARMY---IN PAYING THE FEDERAL DEBT---IN BUILDING A NAVY---IN OPENING ROADS---IN CLEARING RIVERS---IN FORMING SEAPORTS.

Here is a picture of Mr. Jefferson's mind in 1782. He had not then been in France. He was then all American. The prosperity and perhaps the honour of his native land was then most dear to him. The hellish necromancers of Paris had not then unsettled his brain, or corrupted his heart. With such principles as those of 1782 carried into practice, Napoleon durst as reasonably hope for Heaven as to look

for the subjugation of this country. Therefore all those objects so desirable in Mr. Jefferson's opinion twenty-six years ago have for twenty years past been the objects of his abhorrence and opposition.

Building a navy! How comes a navy to be now so much disliked by this gentleman? In 1782 he thought a navy above all things necessary. "The "sea (says he, pages 291 and 292) is the field on "which we should meet an European enemy---on "that element we should possess some power." And what is the amount of that force which he recommended then?

Not less than THIRTY SHIPS---i. e. EIGHTEEN OF THE LINE and TWELVE FRIGATES. Yet when our country was in danger, he censured Congress for granting fifteen frigates, and twenty very small vessels. What could his views be? Time, perhaps, will tell.

The concentration of the powers of a government in one man or in one body is that to which the name of despotism properly belongs. Mr. Jefferson, aware that if he could once establish the right of the Legislature to abolish the Judges at pleasure, the independence of that essential part of the government, the Judiciary, would be destroyed, and that the Legislature itself, because unrestrained and unguided by that phalanx of wisdom, might be managed with very little pains, commenced, with the aid of his faithful friends, (particularly the honourable John Randolph,) a deep concerted and heavy attack upon the Bench, in the impeachment of Judge Chase, in which attack he and his forces were completely repulsed. As it is a

fundamental maxim in such a free government as ours, that the three departments of power should be kept separate, and distinct, and independent of each other, it follows, so much of course as to be a truism when expressed, that neither one ought either directly or indirectly to exercise, or to be able to exercise any power or overruling influence over the other. Above all, the weaker should be protected by some barrier of more than ordinary potency against the force of the stronger, while such mutual relations of authority should be established between them as would enable the weakest as well as the strongest to check the others. The Judiciary was evidently the weakest of the three, and demanded therefore more support. But the Executive here, imagining its own influence to have absorbed the legislative power, conceived that the annihilation of the Judiciary would render its own dominion perfect and undivided, and that though the government bore the name of a republic, he should be able to exercise the power of an unlimited monarch, while the whole responsibility devolved upon his creatures of the Legislature. In the histories of Animated Nature, mention is made of an animal of a most singular description. It is called a Chetor, is used for the purposes of hunting, and is by nature sanguinary, predatory and ferocious; but when taken under human dominion, abstains from all mischief but that appointed to him, from fear of human punishment. It is related of him, however, that when let slip at his game, a deer for example, if after exerting himself to the utmost, the agility of his intended prey disappoints him, he becomes so malignant, and blinded by rage and venom, and so

insensible to all fear even of his keeper, that he never fails to turn upon the persons about him, and if he possibly can, to kill them. Repulsed, baffled, and disappointed in his attack upon Judge Chase and the Judiciary, Mr. Jefferson determined upon making an attack upon the Constitution in some other shape or person, and turned upon his friend and counsellor Colonel Burr. But before that affair can in its due order and with adequate justice be discussed, the residue of that great man's message, and the acts founded upon it, must be examined and recorded.

Industriously as Mr. Jefferson has appeared to be engaged in managing the internal polities of his country, zealous as he seemed in the propagation of certain doctrines, the promotion of certain schemes, the defence of certain principles, and hostility to others, and in his warm attachment to one class of men and his inveterate enmity to another, there is every reason to believe that the ulterior object of all his efforts was out of America, and that conceiving it not to be geographical locality, soil, or native land, but congenial minds, similarity of character, parity of principles and wishes that in reality constituted that which a wise and liberal man deemed "country," the great object, the ultimate end of all his schemes and all his hopes and wishes, was the virtuous republic one and indivisible, of France. The establishment of its empire, its dominion and its principles over the whole world; and as a thing of necessity, and one not only devoutly to be wished, but almost certainly to be accomplished—the downfall of Great Britain. The

historian must have some more unerring proof for the goodness of Mr. Jefferson's heart, than the very best action that is recounted of him to attribute his zeal in favour of OPPRESSED HUMANITY in Ireland, entirely to compassion for the sufferings of the poor people, or to any other motive than his electioneering purposes in America, and his zeal in favour of the French republic; which indeed seems to have been so violently hot at times, as to have bereft him of all discretion as a statesman, and all worth, as a man—to have rendered him insensible to the claims of human nature and his country, deaf to the suggestions of moral and political integrity, unmindful of his duty as a citizen, of prudence, of every thing but his perverted ambition; and forgetful or else unblushingly disdainful of his own foregone opinions as they stand upon record in that ingenious production, (a production well worthy of such an author,) entitled "Notes on Virginia."

It has been already mentioned that this country had for a long time swarmed with foreigners, the malcontent refugees, rebels and outcasts of the British Islands. A succinct account has been given of their views, their associations, their nature and dispositions, of the part they took even from their landing in the politics of the country, and of their attachment to the democratic faction, to Mr. Jefferson and to France. Their numbers were so great, that they certainly decided the election which placed Mr. Jefferson in the chair. "It is certain, (said General "Hamilton, in a production to which the author of "this history is much indebted,) that had the late

" election been decided entirely by native citizens;
" had foreign auxiliaries been rejected on both sides,
" the man who ostentatiously vaunts that the doors
" of public honour and confidence have been burst
" open to him, would not have been at the head of
" the American nation." Though some allowance ought to be made for the gratitude of a man so singularly gifted with that virtue as Mr. Jefferson has proved himself to be, yet, considering his wonderful patriotism, it might stagger the faith of a superficial observer of his opinions in their various fluctuations, to believe the violent partiality and predilection for adopting foreigners with which he had for some time past been seized. And this predilection would appear the more extraordinary when compared with his deliberate judgment on that subject given to the public in his " Notes on Virginia" in the year 1782. To make the matter more clear, his own words are offered to the reader :

" The present desire of America is to produce rapid
" population, by as great *importations of foreigners* as
" possible : But *is this founded in good policy ?* Are
" there no inconveniences to be thrown into the scale
" against the advantage expected from a multiplica-
" tion of numbers by the *importation of foreigners ?*
" It is for the happiness of those united in society to
" harmonize as much as possible in matters which
" they must of necessity transact together. Civil
" government being the sole object of forming so-
" cieties, its administration must be conducted by
" common consent. Every species of government
" has its specific principles. Ours perhaps are more

" peculiar than those of any other in the universe.---
" *It is a composition of the freest principles of the*
" *English Constitution*, with others derived from na-
" tural right and reason. To these nothing can be
" more opposed than the maxims of absolute monar-
" chies---yet from such we are to expect the greatest
" number of emigrants. *They will bring with them*
" *the principles of the governments they leave, imbibed*
" *in their early youth; or if able to throw them off, it*
" *will be in exchange for an unbounded licentiousness,*
" *passing as is usual from one extreme to another.---*
" *It would be a miracle were they to stop precisely at*
" *the point of temperate liberty. Their principles*
" *with their language, they will transmit to their*
" *children.* In proportion to their numbers *they will*
" *share with us in the legislation. They will infuse*
" *into it their spirit, warp and bias its direction, and*
" *render it a heterogeneous, incoherent, distracted*
" *mass.* I may appeal to experience, during the
" present contest, for a verification of these conjec-
" tures; but if they be not certain in the event, are
" they not possible, are they not probable? *Is it not*
" *safer to wait with patience for the attainment of any*
" *degree of population desired or expected?* May not
" our government be more homogeneous, *more*
" *peaceable, more durable?* Suppose twenty millions
" of republican Americans thrown all of a sudden into
" France, what would be the condition of that king-
" dom? If it would be more turbulent, less happy,
" less strong, we may believe that the addition of half
" a million of foreigners to our present numbers,
" would produce a similar effect here."

To those who happened to remember that these were the words of Mr. Jefferson, and that he had indissolubly tied himself to their import, by the publicity which he courted for them, it must have occasioned some surprise to read in his message to Congress, a specific recommendation to open to foreigners, an immediate and almost unconditional passage to naturalization, enforced by the most plaintive language and pathetic appeals to the feelings of the country. It needed no great sagacity to foresee that constituted as the Congress now was, the President's bare intimation of his will in the message, would be immediately followed up by a law. He intended it should: And thus he authorised and occasioned an act, which upon his own shewing would do great mischief to the country—give to foreign interlopers *a share in the legislation* and infuse into it the worst principles of European nations. By that act, however, he was aware that he would bring over to himself and his faction, an enormous accession of strength; and as he supposed that almost the whole of the emigrants would be jacobin fugitives, he knew that they would bring along with them the most warm zeal in the cause of France, with the most virulent enmity to Great Britain, and that of course, all of them would be on principle attached to him and support his cause, as soon as they could be invested with the necessary privileges. To confer upon them those privileges was his interest, and he made no delay to do so. No sooner was the ruinous and impolitic act passed into a law and put into

full operation, than its effects began to be perceived, nor long after that again till they began to be felt. Societies were formed to communicate the glorious tidings to the insurgents, the rebels, and even to the robbers of the old country; to explain to them the nature of the privileges and encouragements just opened to them, and the facilities that were afforded to their incorporation with the free people of America, and to invite them to come over and avail themselves of the comfortable invitation that was held out to them by the President. In every country where the invitation was to operate, there were men sufficiently informed of the political state of the Union, and connected with the residents in it, to inform the more ignorant that the part each was expected to play when he arrived, was that of a citizen, in which character he was to do every thing he could to support the President, so long as Mr. Jefferson was President, and to assault and overthrow the federal government; that he was to hate the whole body of federalists, because they were enemies of France and supposed to be friends of England; and to love and vote for, and if necessary, fight for the democrats, because they were the friends of France and the malignant enemies of England. On their arrival they were sure to be met by some of the members of the democratic Societies appointed for the purpose, who took care to remind them of their duty—drilled them for the service they were intended for, proceeded to provide for them, and instead of sending them into the country to live by their honest labour, retained them under one pretext

or other, in Philadelphia and New-York, or the capital where they arrived, to vote for the jacobin ticket—get bestially drunk—and starve. Such a medley, so numerous, under such discipline, could not fail to introduce infinite mischief into the country. They came into a most happy state of things; and they have contributed more than any thing else to reduce it to that unhappy state in which it stands at this day. By incorporating such a vast mass of foreign stuff into the composition of our state, they have made it a most corrupt and heterogeneous compound—they have changed and deteriorated the national spirit, confounded public opinion, and deprived it of its unity and consistency, by introducing foreign propensities contradictory to each other, and contradictory to those before known or felt by Americans—in place of the harmony which once subsisted, they introduced discord with all its attendant evils; and they gradually infused the poison of European opinions, prejudices and antipathies, into the minds of the American people in favour of one and against another foreign nation, thereby promoting undue and unjust partialities and enmities, dividing the people against each other upon topics foreign to their purposes, and distracting the councils of the nation.

This infraction of Mr. Jefferson's was not warranted by any apparent, or even pretended necessity. The privileges of aliens were before, abundant. They had been hospitably received---they had as perfect protection from the laws as our own citizens, in their persons, reputation, and in the acquisition and enjoyment of property, and they were permitted to carry

away that property when they pleased. Even now, vast numbers of aliens who wish to remain in this country, but are from conscientious motives averse to the qualification oath, are in the full possession of every enjoyment allowed to our own native citizens, the rights of suffrage and to possess land in fee-simple, excepted. Neither did aliens ever complain of their exclusion from these privileges. The former disqualification they could not feel, and probably never thought of, till they were reminded of it by the arch-demagogue of the new world. Why then break in upon the safe and established order of things, and why fly in the face of his own recorded principle?---The answer is plain---the real native Americans were too wise, too firm, too patriotic, for his Gallic purposes. They would not vote away their country's freedom and independence for a mess of pottage. It was necessary to throw some other materials into the composition of the country, and to ferment it with this jacobin leaven of Europe. It was gain to him and his faction in a manifold way. It enabled them to out-vote the people of America in their own elections and to fill, not only the Executive offices but the Legislature itself with French partisans---with themselves; to establish a disposeable force here for France and to drain Britain of her population.

What have been the consequences?---The country has been frighted from its propriety by local feuds and dissentions, exclusively introduced by these newly forged citizens.---The elective rights of the real Americans have been outraged, and their opinions compulsorily or fraudulently regulated by inso

lent and profligate foreigners, who have seized upon the press, and by falsehoods, frauds, and delusions, of which real Americans were, until lately, incapable. They have established an interest of their own in every city, and circulated through the Union a pernicious foreign influence, beneath which the freedom and independence of America bends the head, subdued. If any American, alarmed by the dangers of his country, and jealous of its honour and interests, does but betray a symptom of dislike or opposition to their proceedings or their views, they instantly mark him, and their wolves of the press fall upon him tooth and nail, vilifying him with every calumny which ingenious malice, unrestrained by shame, can devise. Incredible as it would once be thought, those vicious interlopers, outcasts of their own country---denizens of none---but slaves to France, actually formed associations to influence the elections of the people, to elevate those who served their purposes, and to depress all who should oppose them. And thus the inheritance of our honest ancestors, obtained by their industry, and ratified (we once thought secured) by the blood of our fathers, our brothers and ourselves ---the real precious blood of the land—is likely, by the instrumentality of Mr. Jefferson, to become the prey of foreigners disgorged upon us by *agonized* Europe in her *throes and convulsions*---of vagrant children of the gibbet, with the welts of the beadle's whip, still embossed upon their backs.

Nor is this all.---For the rest, history with confidence appeals to the feelings and sentiments of those, who have witnessed the public anxiety in a late

great national emergency, for a verification of the prognostication of General Hamilton, who, when discussing this subject said, "*the permanent effect of* "*such a policy will be, that* IN TIMES OF GREAT "DANGER THERE WILL BE ALWAYS A NUMEROUS "BODY OF MEN, OF WHOM THERE MAY BE JUST "GROUNDS OF DISTRUST; THE SUSPICION ALONE "WILL WEAKEN THE STRENGTH OF THE NA-"TION, BUT THEIR FORCE MAY BE ACTUALLY "EMPLOYED IN ASSISTING AN INVADER." The auguries of the wise and virtuous, will never be neglected but by the mad or the wicked. Let the real people of America only consider what the power of that enormous and multiplied mass of enginery is, which Mr. Jefferson has erected, and which more dangerous men may wield. No sooner did the afflicting idea of a civil war get abroad than the distinction between our native and our foreign citizens was displayed---in the fears, the hopes, the anxieties and the wishes of either. It will fall to the lot of some future historian to relate the catastrophe, the fearful drama which at this moment is approaching to the commencement of the fifth act. Meantime, it may be not entirely unprofitable to Mr. Jefferson to keep in mind, as not inapplicable to the present subject, one part of the history of the unfortunate Louis the XVIth. That benevolent, but ill-advised monarch being resolutely determined to compel one of the Parliaments to register an edict which they had as peremptorily refused to do, he gave orders that a compliance with his will should be enforced by the military. On the requisition being made to the

army, there could not be found one French regiment whose officers would commit such a sacrilegious outrage upon the Constitution of their country. They felt that they were Frenchmen, and they chose rather to incur the penalty of disobedience to the King, than the guilt of treachery to their country.* An Irish regiment being absolved by the circumstance of their nativity from all duty to that country, made no scruple of paying ready obedience to the orders of his majesty. The commanders drew up their men without doors, and entering the Parliament armed, compelled it to register the edict. Mark what followed! The sleeping spirit of the nation was roused. The Irish brigades were chased away. The hapless Louis paid his life as the price of this experiment, and the humble instruments of his policy are wandering emigrants, dependent for subsistence on the British crown---on that very government against which they had early revolted, and drawn the sword in favour of France. There is no occasion to trace the analogies which subsist between the subject in hand and this historical fact; but while we all deprecate the omen, let us reflect upon the similarity that would obtain between both events, if in their zeal for the ruler of America those foreigners should be arrayed against the virtuous citizens of America to enforce the execution of that tyrannical edict, the embargo laws.†

* There was not one of them who would dare refuse to obey the same order, or any order from the Corsican.

† It would be injustice not to qualify this by stating, that the Irish Corps of Volunteers of New-York (the Greens) declared

Of the many outrages committed or designed by the democratic faction to render aid to France, and crush the alliance against jacobinism, the attempt to raise an army in the United States to attack Spain, under pretence of enforcing the free navigation of the Mississippi, was not the least extraordinary. The whole power, influence and authority of Washington was put to the test in preventing the democratic party from precipitating the country into a war on that occasion with Spain. The impolitic act and unfortunate issue of the taking of Toulon having soon after detached Spain from the anti-jacobin confederacy in Europe, and plunged her into the dangers and miseries of an alliance with France, was considered by the faction as so entirely changing our relations with Spain that as she was before an object that demanded our hatred and hostility, she was now entitled not only to our friendship, as the ally of Napoleon, but to our obedience and submission. A negotiation with the Court of Madrid in 1795 had ended in a concession to the United States of her claims on the subject of boundaries, free access through the Mississippi to the sea, and of a place of depot for our merchandize at New-Orleans. But Spain, either emboldened by confidence in her new ally, or more probably acting under his instigation, 'permitted 'herself' to violate the stipulations of that treaty, to make encroachments upon our rights, to close up the

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upon the embargo enforcing act, that though ready to go to any part of the Union to repel a foreign invading enemy, they would not raise an arm against Americans.

mouth of the river against us, and to deprive our traders of their depot, and indeed to shut them out from all access to New-Orleans. An aggression so unprovoked could not fail to alarm the feelings of our citizens on the western waters, whose interests and even means of existence were so deeply affected by it, or to raise the indignation of the best men in all parts of the Union. Mr. Jefferson and his creatures, and they only, seemed insensible to the wrong. Never had a more unprovoked insult, or a more unwarrantable injury, been offered to any nation. Never was there an outrage which more imperiously demanded, not a protracted or circuitous remedy, but an instant, prompt and practical abatement, and unqualified, ample satisfaction. But it was not now with Spain as it had been. What was true with regard to her in the years 1793 and 1794 was now otherwise. Our magnanimous chief magistrate *now* viewed the Spanish monarch, not as one of the associated asserters of the rights of the civilized world against the universal depredator, and as such, a fair object of hostility and direct attack, but as the conductor of Napoleon's vengeance, to touch which might be annihilation. He would, therefore, rather have grasped the iron rod in the highest steeple in a thunder storm, than approach the Spaniard while seated on the step of the usurped throne of the Corsican. As private interest is generally an overmatch for public virtue, even for the public virtue of democrats, the men of Kentucky and their neighbours whose business was interrupted, whose prospects were obscu-

red, and the products of whose estates were likely to be lost and rot upon their hands, forgot for the time the allegiance due to France, and speedily demanded to be permitted to redress themselves by marching against New-Orleans, and chastising the Spanish officers for their temerity. They would not, however, have found it so easy a task as they imagined. The President, who wanted not only vigour of mind, but that fortitude which is inspired only by a generous love of fame, and which, when directed by an enlarged scope of knowledge, and a lively sense of honour, rarely fails to produce great public ends, thought it more advisable to postpone the application of a remedy, which to be effectual must have been instantaneous--- and to owe to supplication that which he had a just right, and lay under an imperious obligation to exact by force. This was worse than even his greatest contemners could have expected from him. His warmest adversaries imagined that ashamed as well as indignant at the insult offered to himself and his government, touched with the example of his predecessors, and with a sense of what a resolute man, filled with the courage of the cabinet, could, with the same power which he had it in his competence now to wield, effect for a great and spirited people against an insulting enemy, he would for once step out of the witching circle of his own prudence, and shaking off the benumbing influence of his fears of Bonaparte, would now when he had justice on his side, step forth an unmixed American, and make that attack upon Spain for which, when she was the adversary of France, and had committed no violent

wrong, he was known to be, beyond all reasonable measure, eager. It was a business in which the concurrence of all Americans might have been expected, because there existed no distinction of party purely American, that could render any citizen insensible to the outrage---there was no reasonable motive for partiality to blind him to such encroachments, or to render him patient under such wanton insults. Extensively injurious, they must have been sorely felt by all classes and extended to all quarters---but chiefly by the people on the western waters, among whom there was but one emotion---one opinion ; to wit, that the acquisition of the Spanish province was desirable, and that the capture of it was easy, necessary and just.

On such a question, the candid historian will speak a language very different from any of the parties to the transaction.---Justice would certainly deprecate provoking a war for the purposes of conquest, which, whatever character it may assume, is, when unauthorised by previous wrong, nothing but rapine and robbery.---But national policy might perhaps dictate to the American statesman that the infraction by the Spaniards was fortunate for the Union, as affording an adequate excuse for invasion. Under the influence of this opinion, it was, that the greatest apprehension entertained by Americans, was that the fears or prudence of Spain would induce her to retreat too soon, and so deprive our Executive of an opportunity, such as never might offer again, to strike a bold, a decided and a fortunate stroke against an unsafe and litigious neighbour.

The greatest misfortune that can befall a country is to fall under the rule of a timid and irresolute man---if he be, besides, weak and visionary: Pitiable indeed is the condition of the people whose honour and interests are committed to his charge. When under the joint operation of those evils, the nation is brought to a crisis which demands the exertion of all its energies, the same blighting influence which occasions the distemper, excites a fear of the medicine; overwhelmed with panic, he pauses, trembles, shrinks from the dangerous effects of his own errors, and taking counsel from the subtleties of a cunning head for the relief of a dastardly heart, assumes the garb of moderation, "takes a poor credit even from his "defeat; and covers his impotence under the mask "of lenity."

Such was the situation of America, when the known imbecility of Mr. Jefferson emboldened the Spaniards to dash such an unprovoked affront and wrong in the face of the American republic.---That gentleman's character had been too long and too legibly written in every cabinet in Europe, for any of them to be mistaken in the line of conduct they had to pursue. He never would think of referring any contest with France or her protegés or allies, to the arbitrament of the sword---a proclamation, a speech, a war of words, or as the utmost reach of his magnanimity "dignified retirement"*---these are the weapons

* Nobody can deny that Mr. Jefferson treats his country only as he did himself—to "*dignified* retirement." The embargo is quite as dignified as the cave on Carter's mountain. The

which he would make the American people wield against the insults, injuries and oppression of unjust and haughty enemies. Fond as he is of peace, he could not bring himself to venture into the surest and shortest road that leads to it, namely, seasonable war. Instead of that, while the nation, all but the creatures of the Executive and of France, panted for war, and like greyhounds held back in the leash, shivered and growled with eagerness to be let loose upon the enemy ; he, good soul ! preserved unusual apathy---acted as if utterly unconscious that any thing was wrong---and even in his communications to Congress at its meeting, in which he gave the Legislature a view of the state of the nation, omitted totally the aggressions at New-Orleans, and the transactions on the Mississippi, though they were by far the most momentous that had occurred since the revolution. This omission, as it was unexpected, occasioned great surprise, and as it was wilful, gave great umbrage. The neglect, however, was some time afterwards vainly endeavoured to be repaired by some of his legislative organs, who threw out vague hints that if pacific measures should fail, and every mild expedient for retrieving our rights be unsuccessful---THEN other measures would not fail to be tried. There were but a corrupt few in the Union who relished the conduct of the President. Pacific measures and mild expedients, though very congenial to his

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hægyra or flight of Mahomet is the epoch in that impostor's life from which Mussulmen reckon their revolutions of time. Will the proselytes of ours date from his hægyra ?

character and feelings, were equally inapplicable to a grievance of such magnitude, and unsuitable to the honour of the nation. It looked like delay too---and in this particular case, delay would be as fatal as a total denial of a remedy. However, the people were fain to take it with a patient shrug, and the least sanguine comforted themselves with the expectation that the looked for "mild expedient," would turn out to be a message to New-Orleans with the alternative of war or instant redress---or in other words, of an invasion of the Spanish territory, or a revocation of the hostile orders and a restoration of our privileges. Time, however, corrected the mistake---but it was a long time. Instead of sending to New-Orleans either army or messenger, Mr. Jefferson sent off an envoy plenipotentiary to Madrid to *supplicate* redress.

In every aspect in which this mission to Madrid can be viewed, it appears reprehensible, impolitic, shameful and unjustifiable. In the first place the honour of the nation was outraged—its interests rudely violated, its resentments challenged and defied. The offence was by its extraordinary nature and magnitude taken out of the ordinary course of national contests, being inexpiable but by the most unqualified apology, and incapable of compensation or relief but by instant reparation. It did not merely act prospectively—it suddenly, unexpectedly and treacherously shut out our citizens, on the western waters, from their means of existence—it would reduce their farms to the condition of unproductive desarts—it consigned the existing products of them to rot

in the granary, or perish in the furrow---it stopped tillage, arrested the hands of the husbandman, and bound them down to inutility and idleness---and it raised an impassable barrier between the farmers and their lawful market. But above all, it insulted the dignity of the nation, laid a precedent for violating its rights ---and evinced a latent spirit of hostility which it was the duty of our government to bring forth to light--- to chastise and to terminate. Such was the offence which every day grew in bulk and increased in evil by the suspension of redress, while the stain of it was rendered more dark, and deep, and indelible, by the delay of satisfaction. It was an offence for which reparation ought not to have been asked, but taken; and in which the injured ought to be his own avenger. If it were asked what the motives for this abject quiescence were, there is not an answer to be given that would not most deeply inculpate the Executive and his partisans. Was it tenderness for Spain?---No, that cannot be, because when Spain was unoffending, they were raving mad with eagerness to attack her. Was it an honourable sympathy for her weakness?---No, she was much weaker when they wanted to attack her. What then was it?---Why nothing but either their love or their fear of Bonaparte.

Supplication was most agreeable to Mr. Jefferson, so he tried it, and what did he get?---Redress?--- No. Apology?---No. Spain all at once ceded Louisiana to France, and thus transferred the whole dispute from herself, and snatched out of our hands the only pledge, within our reach, for reparation.

The thing was well understood all along, between them.

The next intelligence of any importance in the affair, which the American people had, was that the President had appointed his friend Munroe envoy to Madrid, to solicit a restoration to our depot; the next, that he was endeavouring to purchase, with the nation's treasure, that surety for its rights, which it was his duty to take and secure by force of arms;---and the next, that Louisiana was purchased for fifteen millions of dollars.---When this event was announced, it excited strong and opposite emotions in the Union. The adversaries of Mr. Jefferson condemned it---his advocates blazoned it to the skies as a master-stroke of good policy, and an incalculable benefit to the country. The purpose was obvious---Bonaparte wanted money, and our Executive wished to help him.

Defiance added to wrong, doubles the injury; and it has ever been remarked of base and low minds, that when secured from punishment, they delight in manifesting their disregard of the opinions and feelings of those, on whom they practise successful imposition; nay, that they will boast of their wrong, and to increase their perverted glory, will do every thing to swell the turpitude of their deeds, and to set it off to advantage by every thing that can add to its splendour, and give it ignominious notoriety. From their opposition, their invective, and their calumnies upon their predecessors, the men of this administration drew upon their own measures no little lustre of the kind alluded to; for there was hardly

a censure which was falsely bestowed by them upon the former administrations, that they themselves did not eminently deserve---scarcely a principle they reprobated which they did not afterwards reduce to practice. Beginning with Mr. Jefferson's answer to the New-Haven remonstrance, as a comment upon that signal specimen of hypocrisy, his inaugural speech, and tracing his conduct up to the day on which this is writing, it would seem as if, having secured his influential dominion over the Union and its counsels, he was resolved to hurl defiance in the teeth of the world, and to speak thus: "to demonstrate "to you what credulous dupes multitudes are when "managed with dexterity, and well masked deceit, "and to evince the ascendancy I have obtained by "flattering and fooling you, I have tickled you with "professions of principle, merely to make my con-"duct when in power a contradiction to them---I "have imputed to my predecessors crimes and er-"rors of which they were innocent, only to get myself "into the way of practising the same, in reality, upon "you; and I have painted them in aggravating co-"lours, and exasperated your feelings, and loudly "called down your indignation upon those supposed "crimes in them, to give my own misconduct all the "effect it can derive from my own previous reproba-"tion, and to render my defiance of your opinion, "and my contempt of your understandings, the "more manifest and illustrious." From the foregoing pages this inference may be drawn. In those which follow there will be still stronger grounds for

it. In the mission of Mr. Munroe, and the whole of the circumstances attending his notable negotiation, every thing was done that Mr. Jefferson and his party had imputed to the mission and negotiation of Mr. Jay. Indeed so perfectly similar is the conduct, in the case of Mr. Munroe's mission, to that charged against Mr. Jay's, that the administration may be said to have passed an anticipated sentence of condemnation on their own act; or rather to have exactly matched their practical guilt, to the pattern they had drawn from their own taste and fancy.

For instance, when Washington appointed Mr. Jay, and informed the Senate that that gentleman was to go as Envoy to Great Britain, a loud clamour against the appointment as being unnecessary and inexpedient, was raised by the men now in administration, who denied the constitutional right of the President to appoint an Envoy, and insisted that before he appointed Mr. Jay, he was bound to take the advice of the Senate, and that no treaty could lawfully be negotiated without their concurrence and direction. Mr. Jefferson never condescended to impart his intentions to the Senate, till the appointment and mission of Mr. Munroe was completed. Yet the language of his own hireling, mercenary presses against Washington on that occasion must still be in his memory. When the Senate discussed the British treaty with closed doors, from the whole of Mr. Jefferson's party and from his venal press, volumes of invective and crimination rolled forth. On that occasion as well as on the discussion of the treaty with France, an

outcry was raised by the demons of democracy against the Senate debating with closed doors, and every one of the jacobin news-papers—those Jeffersonian seneschals of sedition—embellished the heads of its columns, and gave significant illustration to its paragraphs with "CLOSED DOORS" and "STATE MYSTERIES," printed in small capitals over them—till the brainless gulls of the faction were at last deluded into the belief that it must be some very diabolical work the Senate was employed upon, which shunned the light so carefully, and that the members of that body were little better than the fathers of the holy brotherhood sitting in the inquisition. As a specimen of this, a paragraph is subjoined taken from a paper which Mr. Jefferson, about the very same time declared was the only one OVER WHICH HE HAD ANY ABSOLUTE CONTROUL.

"Secrecy at all times is suspicious in a free government. In "Britain, or the cabinets of despots, the practice is consistent, "but we have the prospect now before us that the plain system "of honest measures will supersede state mystery and low "cunning."

This was on the twenty-fourth of December, 1800, when Mr. Jefferson's election to the Presidency was ascertained. Here then is from his own favourite paper, not only an invective against the practice of the federal Congress and administration debating with closed doors, and an insult to the British government and Parliament, but a promise that no such thing shall be done by the Congress and administration ensuing.—Yet so it really is, and so it appears upon the recorded debates of Congress, that in one single

session of this democratic Jeffersonian administration, there has been more debating with closed doors and more secrecy than in the whole twelve years of the administrations of Washington and Adams. Curiosity as well as justice having suggested an examination into the records of the British Parliament, the result is that there has been more debating with closed doors, and more secrecy in the proceedings of Congress in the eight years administration of Mr. Jefferson, than in the two and twenty years administration of Mr. Pitt—even including the discussions on that delicate subject the regency.---But never was there money voted away in concealment by the Commons of England since that body held guard over the purse of the nation. If their ministers were either from incapacity or cowardice disposed to purchase from an enemy the rights they dared not to enforce, or had been mean or profligate enough to own that "France wanted money and she must have it, or they must have "a Spanish and French war," as the American did, he must get at the cash in some other way than through the House of Commons.

Again, the party inveighed against the Senate for not publishing the contents of the British treaty, so that the people might have an opportunity of giving their sentiments upon it, and directing that body of the Legislature before they affirmed it. They declared that Washington ought to be impeached for daring to appoint an Envoy, or to negotiate without laying his intentions before the Senate, and having the previous consent of the Legislature for his *projet*. "Republics (they insisted) ought to have no secrets;"

nay, they went so far as to resolve that there ought to be an amendment of the Constitution introduced, to render void all treaties negotiated by the President, if not first advised, and afterwards ratified by both branches of the Legislature.

But Mr. Jefferson had one rule of conduct to prescribe to and exact from his adversaries, and another for himself, and acted in direct contradiction to the principles he and his faction would have prescribed to Washington in the conduct of the negotiation with Spain. In doing so, he did that which in contemplation of the Constitution he was entitled to do, and what history might perhaps suffer to pass unnoticed, (supposing it right to negotiate at all,) if he had not been indirect enough to encourage and support his party in their invectives against his predecessors for doing the same; and if he had not made the public delusion upon that subject instrumental to his elevation. Feeling it at all times his duty to preserve the most strict secrecy in certain departments of official duty, he would naturally be induced to a more rigid observance of it in a case in which there was so much to affect the nation and disgrace himself. Mr Jefferson never uttered a hint of his intentions of appointing Mr. Munroe, never unfolded a syllable of his Envoy's instructions, but on the contrary went the indefensible length (a length never before heard of and sufficiently demonstrable of his undue and unconstitutional influence) of procuring a vote of Congress with CLOSED DOORS AND STATE MYSTERY, for two millions, with which to mollify the heart of the grand arbiter of Spanish

affairs, Bonaparte. This was kept secret, and applied to the effectuation of a treaty, the mischiefs of which, though partly apprehended, are even yet incalculable.

All this time not a word was said against the measure by the democrats. Remorseless despots, or principled slaves, as they are, each in his class, they would allow nothing to be wrong that was done by their idol---nothing right that opposed his views. They applauded Mr. Jefferson for having without scruple resorted to the secret practices and most pernicious means of MONARCHS, SO CONTRARY TO REPUBLICAN PRINCIPLES. The prospect before them was realized to their wishes---all was right---all was hushed---and the amendment of the Constitution was forgotten.

The federalists, who did not think that their exclusion from office and the President's favour absolved them from their duty to their country, understanding that an immense territory had been purchased, for which the money was irrevocably paid, confined themselves in Congress to a demand of the title, and moved in the House of Representatives, that the President should lay before the House the documents necessary to convey an understanding of the nature of the title. This motion was opposed by the democratic members, who said that it was sufficient for Congress and the people to know that France was sending a commissary to put us into possession---and that it was not at all necessary to consider what title France had, or whether she had any---it was enough that she said she had. From this mode of conduct-

ing the national business, coupled with the event, an estimate may be made of the wisdom and virtue of our democratic majority in Congress. The fact was, that upon the shewing of France herself in the wording of the treaty, she had only a contingent title, or rather indeed a promise from his Catholic majesty, resulting upon a contingency, viz. that he would cede that territory to the French republic in six months after the full and entire execution of the condition and stipulation made between them relative to his highness, the Duke of Parma. Through the whole of the affair there evidently appeared on the part of our statesmen, great incapacity and shameful ignorance---first, with respect to the title---and secondly, with regard to the boundaries. For, what was the title ? The wise and œconomical President of America gave the treasure of his nation, not for a territorial possession, but for a promise---for the promise of his Catholic majesty to Bonaparté, extorted by force, upon terms which in all likelihood would never be complied with, or if complied with, would again be violated. Of the boundaries Congress know as little (and it seems that they could not know less) as the President, his negotiators and his cabinet. The democratic body, however, having erected a great political idol, infallibility was the least attribute they could ascribe to it. Common sense, and truth, and country, were to be sacrificed on the altar they had raised to it, and woe be to those who should be guilty of the sin of calling any of its sanctities in question. Congress, therefore, with a faith, a little of which directed to its proper object would be of use to them, pro-

ceeded to business, taking every thing the idol delivered to them for granted, and actually began to legislate for a country to which there was no firmer title than a promise, and which was so little known that they included within its boundaries only the small matter of twenty-five thousand square miles, which did not belong to it. America will have long to deplore the stain that this affair fixes in her escutcheon, and the discord, enmity and wars it will, in all likelihood, yet produce.

According to the criminal laws of many countries, and the strict moral laws of all, the buying of stolen goods is held to be little, if at all, less criminal than the stealing of them. Every one in administration well knew that Spain was at the time groaning under the absolute dominion of Bonaparte, and wholly unable to resist that tyrant's demand of an assignment of Louisiana. Whether it was consistent with integrity or honour to deal at all for a country, ravished by false pretexts and force, from the hands of its rightful possessor, may at least be doubted. One thing, however, cannot; that it was disgraceful to a republic, to a nation of freemen like this, to be parties to such an atrocious transaction, in which an immense region, with all its inhabitants, their persons and political rights, were bargained away by one nation to another, like a stocked farm with its live cattle, utensils and improvements; and by that other, again transferred, by way of assignment, or indorsement, to a third nation :---a practice which, unfortunately for mankind, has grown into use under the

auspices and example of the grand robber and salesman of Europe.

In meddling with great affairs, weakness is never innoxious; and of all the classes of human weakness, the weakness that is most mischievous is that which accompanies, or is the offspring of timidity. In the trepidation occasioned by the wrongs and insults of Spain, Mr. Jefferson precipitately ran into the bosom of Bonaparte, and blinded by his fears, rushed forward and plunged his country into a mire from which it has never yet, nor ever will, be completely extricated. At this moment Spain contemplates the cession as an act not binding, because done by her in *duresse*---and by every intelligent Frenchman, it is considered only as a stratagem to put fifteen millions of dollars into the gripe of Bonaparte and strengthen his arms against England. Frenchmen allow it to be a pawn and no more---and they add, with much colour of truth, that its being only a pawn is the reason why the Constitution of the United States is not yet extended to it. Should Spain ever be able to enforce her demand, which is not impossible, will she not reclaim it, and refer us to Napoleon, if he should then exist, for our millions.

Never were men of ordinary rationality so completely decoyed into disgrace by their own evil designs, or enmeshed in distress by the suggestions of their cunning, as were Mr. Jefferson, the President of the United States, and his Secretary of State, Mr. Madison, in this affair. Having resolved to make every sacrifice of national honour,

that arrogant despotism and capricious tyranny could exact, rather than run the risk of offending Napoleon, and studious only how to keep their purposes secret from the American people till that which they sought to do could not be retracted, they resolved to comply with the requisition of France for money, in a manner that would not subject their base compliance to discovery. They, therefore, affected to consider it advisable to purchase the Floridas, and a committee of the House of Representatives actually went so far as to resolve, that the Floridas must be obtained either by purchase *or by force*---and a bill passed that House, appropriating two millions of dollars to enable the President to commence with more effect, a negotiation for the purchase of the SPANISH TERRITORIES LYING ON THE ATLANTIC OCEAN AND THE GULF OF MEXICO, AND EASTWARD OF THE RIVER MISSISSIPPI. This was sent to the Senate with an intimation that the nature and importance of the measure had induced the Representatives to act with CLOSED DOORS, and that therefore, the Senate would consider the communication as confidential.--- The appropriation was agreed to and passed---but during the discussion in the Senate, Mr. John Randolph, actuated with the true spirit of patriotism and the integrity and honour of a noble-minded gentleman, and indignant at this prodigal waste of the treasure of his country upon a tyrant, and the prostration of her character and independence at that tyrant's feet, boldly impeached the purposes of the Executive, and told the House (unfortunately, however, not till the appropriation was voted) the following facts.

"Some days previous to the fourteenth of December, he (Mr. Randolph) having called on Mr. "Madison, the latter took occasion to break to him, "as chairman of the select committee, a great and "very important state secret. He then informed "Mr. Randolph that if Spain was ever so much disposed to settle her differences with us, there was a "TERRIBLE obstacle in the way, namely, the want "of consent on the part of France; which could only "be got over in one shape, and that was by *paying a "good round sum of money*, which, he added, MUST "BE DONE. His exact words to Mr. Randolph "were---'FRANCE WILL NOT PERMIT SPAIN TO "ADJUST HER DIFFERENCES WITH US---FRANCE "WANTS MONEY AND WE MUST GIVE IT TO HER, "OR HAVE A SPANISH AND FRENCH WAR.'

"Soon after this Mr. Randolph was met by Mr. "Madison, who put into his hands a paper headed 'Provision for the purchase of Florida' and "told him he had devised a plan for raising the "money as he had been directed by the President. "On this Mr. Randolph told the Minister that he "would not vote a shilling---that he considered the "conduct of the Executive in no better point of view "than requiring Congress privily to take upon itself "all the odium of shrinking from the national honour "and national defence, and of delivering the public "purse to the first cut-throat that demanded it. And "he added, very justly, that he held true wisdom "and cunning to be incompatible in the conduct of "great affairs."

Absurd as it may appear, the Legislature, either contented to take the mere word of the President without looking into the map for the real boundaries of the new acquisition, or perhaps, the far greater part of them being too little versed in the geographical knowledge of the country, while the Executive withheld the explanatory documents from them, had, in the session of 1804, passed an act authorising the President to erect the shores, waters and inlets of the bay and river Mobile, and of the other rivers, creeks, inlets and bays emptying into the Gulf of Mexico east of the said river Mobile, into a separate district, and to establish a port of entry and delivery there. As soon as the Spanish Governor of Pensacola heard of it, he wrote a letter to Governor Claiborne, informing him that if any attempts were made to carry that act into effect, he would resist it with force of arms. Upon receiving this intimation, the President had recourse as usual to his ample stores of cunning and duplicity, and with affected firmness, assumed to persevere in the exercise of his power, but changed, without pretending so to do, its object, and instead of making a port of entry at the place designated in the act of Congress, that is to say, in the bay of Mobile, he very gravely marked out fort Stoddard to be the port of entry and delivery contemplated by the act, and thus by the magic powers of his presidential office, placed the shores and bay of the river Mobile all the way up within the south boundary line of the United States, up the river one hundred miles from the sea, and in the midst of entangled woods and forests.---To keep up the deception and at the same time to serve

one of his creatures, he actually appointed a Collector to collect the nominal duties of this nominal port.

When Congress met again it was necessary for him to say something about the affair, sufficiently plausible to justify his steady voting friends in their support---he did it with his usual felicity---he told them that "after passing the act establishing a port "of entry and delivery WITHIN THE MOBILE" (not the shores and bay) he had learned that "*its object* "*was misunderstood* on the part of Spain---that, how- "ever, *candid explanations were immediately given*, "and assurances that no act was meditated incon- "sistent with the peace and friendship existing be- "tween the two nations---that the Spanish nation had, "notwithstanding, thought proper to suspend the "ratification of the Convention of 1802, but that the "explanations which would soon reach them by the "tenor of *the instrument establishing the port and* "*district* (his proclamation) might reasonably be ex- "pected to *replace* them in the dispositions and views "of the whole subject which originally dictated the "Convention."

This contemptible trick, of course, was kindly accepted and swallowed by the Congress. The infallibility of this deistical Pope was in the very teeth of fact most piously maintained---but the Spaniard who looked to a Pope of another kind, was not to be cajoled by this juggle, and obstructed our commerce passing through that river. In his next message, therefore, the President informed Congress, that "on the Mobile, our commerce passing through that

"river continued to be obstructed by arbitrary duties "and vexatious searches." Between the American south boundary and New-Orleans, (a distance of one hundred miles, all lying within the limits to which our Executive set up a claim under the treaty,) the Spaniards still retained Baton Rouge and some other forts, all in strong force, from which they more than once issued and committed hostility on American citizens, seizing their persons and plundering them of their property, in consequence of which, the President was valorous enough (at least he informed Congress so by message) to give orders to our troops on the frontier to be in readiness to protect our citizens, and to repel by arms any similar aggressions in future.

Under all those injuries and insults, the President still kept his pacific temper; and rather than incur the hazard of making Bonaparte angry, proposed to purchase and pay again for that which he had already purchased and paid; for which purpose he came, as already stated, to Congress for the sum of two millions. As soon as the bill appeared, describing the territory to be purchased as "lying on the Atlantic "Ocean, and the Gulph of Mexico, and eastward of "the Mississippi," Mr. John Randolph, who immediately perceived that this was virtually renouncing the claim to territory set up by the President as purchased and included in the treaty, objected to the clause as it stood, and moved to substitute "THE "BAY OF PERDIDO," instead of "the river Missis-"sippi." His reasons (he said) were, that a great part of the territory embraced by the bill, namely, all that tract lying between the rivers Mississippi

and Perdido, and eastward of the Mississippi, being about twenty-five thousand square miles, and unquestionably the most valuable part of the whole purchase, was already claimed by the Executive, as being within the limits of the Louisiana treaty; that Congress had so far sanctioned the claim as to have legislated upon it by passing an act, erecting the shores and waters of the river Mobile into a collection district; and that after this, to pass a law authorising the President to purchase this very territory, would be implicating the national honour, and amount to a virtual surrender, on our part, of our pretensions to it under the treaty. These objections were unanswerable. No one attempted to answer them; but still the sovereign will of the idol was paramount to duty, shame, honour, and every national consideration, and the motion of Mr. Randolph was negatived by a considerable majority.

Perhaps there never was, in any legislative assembly, a more shameful decision. Never by any statesman so unblushing and, politically speaking, so profligate a measure proposed, or one which exhibited so many separate and distinct marks of weakness, cowardice, folly and unblushing corruption.

When the great day of reckoning between this gentleman and his disgraced and injured country shall arrive, he will find some difficulty in giving a satisfactory answer to the following questions:

At the time of ratifying the treaty, for the purchase of Louisiana, or afterwards when you called upon Congress to legislate for it, did you know distinctly the boundaries of the territory you had pur-

chased?---If you did not, how dared you to undertake to decide for your country, upon a subject of which you were ignorant?---If you did know the precise boundaries, were you sure that the portion of territory, lying eastward of the Mississippi, and between it and the river Perdido, was included *bona fide* in the purchase or not?

If you knew that it *was not* included in the purchase, how came you to impose a false statement upon Congress, by giving that territory, in your statement to them, as one for which they were to make legislative provisions, and even call upon them to legislate for it, particularly by erecting it into a separate district, for the collection of duties?

If you knew that *it was* included in the purchase, and was *bona fide* the property of the United States, how could you have the hardihood to call upon Congress for monies to purchase it again, and by influencing them to do so, trepan them into a surrender of twenty-five thousand square miles of the territorial property of the Union?

And lastly, if the territory alluded to was not included in the purchase, and of course was not the property of the United States, how came you to trespass upon a friendly nation, and incur its resentment by unjustly laying claim to, and legislating upon its rightful territory?

As soon as a virtuous, firm, and patriotic Congress shall be returned by the Union, this gentleman may possibly be impeached and made to answer these questions. In the mean time, and indeed forever, the transaction will stand as a monument of the

very complying spirit and accommodating conduct to which a democratic legislative Assembly may be brought by a dexterous administration of the patronage, power, and emoluments of a popular Executive.

Great as this injury and insult to the nation was, it was still to be followed up with something worse. Neither the Floridas, nor the disputed territory, nor any other territory was bought—the two millions of dollars remained unaccounted for. And the people of America are to this day left to the bitter reflection, that the whole of that disgraceful game was played off, in conformity to the purpose avowed by Mr. Madison to Randolph, to soothe the rage of Bonaparte and supply his demands---"FRANCE WANTS MONEY "AND WE MUST GIVE IT TO HER OR GO TO WAR."

Few nations even in the worst circumstances of conquest and decline, have made so degrading a composition. A composition with robbery and insulting menace, compared with which, the ordinary degradation of paying tribute to an enemy, victorious after resistance, is glory; since to have resisted would have afforded some consolation, some gratification to honourable pride—but our Executive not only dare not resist Bonaparte's will, but dare not even affect a little boldness, or utter a breath that sounded like an assertion of his own manhood, or his country's rights.

Through the whole of this business, the cloak of impenetrable secrecy was thrown over the proceedings. The bill passed on the sixteenth of January, and on the next day, the seventeenth, the bill being

no longer within reach of the House, the President sent down to them dispatches, which he had no less than four weeks before received from Mr. Munroe at London. When those dispatches were read, it appeared to the House that they had so important a bearing upon our Spanish acts, which had just been passed, and were so momentous and interesting as (said Mr. Randolph) to produce an instantaneous and general conviction, that the course which they had pursued was wrong. What is still further convincing upon the subject is, that a vigorous stickler for Mr. Jefferson, who had voted for the appropriation, (Mr. Nicholson,) exclaimed that he trusted in God the negotiation would fail; and that several other members who had voted for the appropriation were shocked, and expressed their deep regret for the vote they had given. Yet they afterwards voted for a more ruinous measure; they voted for the embargo.

In this glaring display of duplicity and deception, there appears a boldness so foreign to the character of Mr. Jefferson, that it would stagger belief if there were not many other proofs of his dexterity in conducting underhand dealings of that kind, and of the resolute obsequiousness of his Congress and his majority in the nation, to his will. It was not that he was intrinsically more bold, but that he found Congress more bending.

It may be remarked of this gentleman, that in every transaction of his which history has to record, duplicity has been the sovereign characteristic. It was this contemptible disposition of which Genet

complained when he said that the Secretary had two languages and two opinions---one official and public, the other private. It was this which dictated his crawling obeisance to Washington, and his adulatory exhortations to him to take the presidential office a second time, while he was, through the medium of his creatures of the press, vilifying that great and good man's character and measures. It was this which made him praise Mr. Adams in his speech when Vice-President to the Senate, and upon other occasions, while he meditated the overthrow of that gentleman's character with the public, and paid literary assassins to murder his fame. It was this base spirit which dictated the flattering promises, the professions and the assurances in his inaugural speech, that he considered both parties as having one and the same principle—" all republicans, all federalists"—while his heart was fraught and his brain was pregnant, and even then was almost in the act of parturition with that hideous monster of deformity, malice and injustice, the answer to the New-Haven remonstrance. It was that which dictated all his writings and instructions in that artful way, that they always admitted of a two-fold construction, so as to relieve him from responsibility in case of failure, and leave the credit in his hands in case of success; which dictated his dispatches to Commodore Morris, so as to betray that officer into an act of war, without committing administration, and left the President at liberty to adopt or disavow his acts, and furnished him with the means of persecuting that gallant officer. It was this which enabled him to betray General Eaton into

a snare, out of which nothing but that brave man's courage, vigour and good sense could have extricated him, and at the same time brought ruin and desolation on the unfortunate prince, the rightful heir to the throne of Tripoli, as remains yet to be related—which displayed itself in the armament of Miranda, enabling him (Mr. Jefferson) to reap the harvest of that adventurer's labours and dangers, if victorious, and to turn his back upon him, if unfortunate. And finally, it was this which has kept the disagreements between this country and Great Britain, for such a length of time, painfully suspended, and fluttering between hostility and accommodation, waiting in timid caution to see what turn the destinies of Bonaparte might take, so as to enable him to gratify the grudge he bears that country, by throwing the weight of America into the mass of difficulties which he fondly hopes are doomed to crush her.

The aggressions of Tripoli had become so intolerable, that Mr. Jefferson himself felt the necessity of sending an armament into the Mediterranean. Many Americans, taken in merchant vessels, were detained in slavery, and the brave Captain Bainbridge, of the Philadelphia, and his crew, having the misfortune to get aground, were added to the number. A general cry for vengeance, and for the delivery of our captive citizens, was heard from all parts of the Union, and compelled the Executive to resort to exertions of more than *his* ordinary vigour. It happened that some time before, the present reigning Bashaw of Tripoli, Jussuf, third son of the late Bashaw, had murdered his father and eldest brother, and purposed

to murder the second, in order to possess himself of the throne. But the latter, HAMET CARAMALLI, made his escape, and Jussuf, without further opposition, usurped the diadem. Hamet took refuge in Egypt, and was hospitably received by the Beys, who gave him a distinguished rank in their military service. Here he was (to adopt his own expressions) "reposing in the security of peace, had almost "ceased to repine for the loss of his throne, and re-"gretted only the lot of his unhappy people, doomed "to the yoke of his cruel and tyrannical brother," when the arrival of an authorised and accredited agent of the government of the United States of America, (General Eaton,) revived his almost expiring hopes, and gave him expectations of better fortune.

It seems that General Eaton had been Consul for the United States up the Mediterranean, and was returning home, when he received information of the situation of Hamet, and conceiving that the desire which that prince must naturally entertain to be restored to his sovereignty might be made instrumental, not only to that injured prince's redress, but to the great advantage of the United States, like a true patriot he resolved to hazard much in the attempt, fondly and honourably flattering himself that Hamet and America would be of permanent, mutual benefit to each other by coöperation—that the ex-Bashaw might enable America to obtain speedy restitution of the American citizens captive in Tripoli and permanent peace, and she in return reinstate him in his lawful throne—a deed in itself so glorious

as to reflect eternal credit on the republic, as pulling down a murderer and usurper, and raising the oppressed and fallen—a deed, a little more glorious than conniving at the rash and ill-advised enterprise of Miranda, which involved so many of our citizens in ruin, and brought them to a premature and ignominious death, and has planted a thorn in the heart of Spain towards us which rankles and festers there, and will in all likelihood break out upon us hereafter in a manner that will make the country execrate its original authors. In order to give General Eaton some specific authority, our government appointed him, for the occasion, to the office of agent for the navy in those seas---and to stimulate him to boldness and vigorus exertion in the hazardous and arduous enterprise he was about to undertake, gratified him with the high and mighty compensation of twelve hundred dollars a year, or about eighty dollars for the lunar month---the ordinary pay of a New-York merchant's clerk and book-keeper.

Hamet was rejoiced. He placed the most implicit confidence in the American agent—to question the fidelity of the government and the officer of the great people whose representative Mr. Eaton was, had it for a moment suggested itself to his imagination, would have appeared to him as an unpardonable wrong. Without hesitation, therefore, he threw himself into the arms of our country and its missionary, and entered into a convention with Gen. Eaton at Alexandria, by which many advantageous provisions were stipulated by Hamet in favour of America, and America was on her part bound to restore

that injured monarch to his throne. Some few Americans from the American squadron, joined General Eaton, and with the followers of Hamet and the troops, such as they were, furnished by the Beys, all of which were put under his command, the American General marched to secure Derne and Bengazi, while the squadron proceeded to attack Tripoli by sea. The most uninterrupted success awaited the enterprise---Derne was taken, and the General with his little army advanced six hundred miles into the territory of Tripoli. No sooner was this publicly known than a general defection of the reigning usurper's army took place; and now it seemed as if no obstacle stood in the way of General Eaton's enlarged and noble project being accomplished, by the expulsion of the murderous usurper, the rancorous enemy of America, and the restoration of our friend and ally the injured HAMET to his throne, an event which would have established permanent peace between this country and Tripoli, and crowned the Union with never fading glory; when the usurper, terrified and trembling for his fate, proposed to Mr. Lear, the Consul-General of America, to enter into a negotiation: the proposal was readily and as joyfully grappled at as if it were advisable or honourable---to purchase the redress which we had it in our power to enforce, sixty thousand dollars was paid by Mr. Lear to the tyrant.---The unhappy Hamet and his brave ally, Eaton, were stopped in their glorious career---a most inglorious peace was patched up, and by a treaty in which honour, and justice and national pride were trampled in the dust and the public faith was

violated, it was stipulated that the forces of the United States should be withdrawn. Thus was the too confiding, unsuspecting prince Hamet, after having been made the instrument, the mere dupe of the American government, cajoled and completely deserted, and the American character stained with the imputation of an act of matchless perfidy and meanness---and thus was a throne acquired by rapine and the murder of a father and brother, guarantied to the murderer by the rulers of the republic of the United States. The conduct of the President (indeed of his officers) upon this occasion, was of a character which Liguria of old, in the fullness of all that kind of pride for which she was noted, might have boasted. His vindications written to Congress were precisely of the same family as all his other doings---and his officer, Commodore Barron, seems to have caught a spark from him, and to have adopted much of his character.---Writing to General Eaton, the Commodore said "it is with Colonel "Lear's express sanction that I state to you *his in-* "*tention to endeavour at stipulating some conditions* "*for the unfortunate exile, provided this can be done* "*without any considerable sacrifice of national ad-* "*vantage on our part.*" Was this the language of an honest heart? Was this even decorous as applied to such a personage as Hamet. It is precisely the cant of a newly flushed opulent upstart to a mendicant. As such it might be very appropriate language for the quarter from which it came; but was very unfit to be held to the abused Hamet, in whom there was nothing exceptionable but that which to

an exalted and generous mind, would have been a recommendation—his misfortunes. His talking of not sacrificing national advantage to help him to whom all the advantage they had to sacrifice was owing, was a most impudent dereliction of decency---a daring defiance of all honourable opinion---a base surrender of all pretensions to national integrity. Nor was General Eaton himself treated with more justice or regard to national faith and honour. Not only he was refused the fair remuneration of his services, but was trifled with in the lowest way about a large sum of his own which he had expended in the prosecution of the enterprise.

That abused victim of the low arts of our Ligurian administration, the exiled Bashaw, came over to America in 1805, to obtain some remuneration---the subject was publicly agitated, but what has already been shewn of the nature of Congress and the temper of the majority, speak too plainly to be misunderstood, how ineffectual would be any application for redress or justice which tended to cast a shade of censure on the Executive or his creatures; or to call in question the authority of his will. The President laid the affair with his own pettifogging arguments before Congress---it need scarcely be repeated that that was enough. But as the time is not very remote when that influence will cease to inebriate the people and intoxicate their representatives; and as at all events, posterity ought to be told that ALL Americans did not concur in this foul transaction, it is the duty of the historian to record such

materials as will serve to furnish a clue to the truth. The conclusive letter of General Eaton will be sufficient for every purpose.

Letter from General Eaton to the Secretary of the Navy, dated Washington, December 5th, 1805.

"SIR,

"Commodore Barron's instructions to Captain "Hull, of Sept. 15, 1804, and my convention with "Hamet Bashaw, of Feb. 23, 1805, comprise all "the obligations entered into with Hamet. Copies "of both which are in the offices, as are also the "correspondences resulting thereupon. By perus-"ing the Bashaw's letters from Syracuse and by re-"viewing the transactions to which they refer, I can-"not find that any additional observations of mine "can throw light on our transactions. It is im-"possible for me to undertake to say that the Bashaw "has not been deceived. Nor can I by any shape "in which the subject can be viewed, reconcile the "manner of his being abandoned, with those prin-"ciples of national justice and honour which have "hitherto marked our character. The term *coöpera-"tion*, I always considered as nearly synonymous "with *alliance;* that it would require the nicest dis-"tinction of diplomatic skill to discriminate the "meaning, and hence supposed that an engagement "to coöperate with Hamet Bashaw, excluded the "idea of using him as an INSTRUMENT. This con-"clusion was the more readily admitted in this case, "because, until after we had proceeded far in the "coöperation, I never heard a syllable of peace,

"neither from the President nor from yourself, nor "from the commander in chief, which did not look "forward *beyond an effort to* CHASTISE the enemy, "and because I always felt a confidence, that such "an effort, well conducted, would dethrone him. I "really can offer no explanations on the subject, "which are not to be found in my official com- "munications, except a circumstance which I am "aware modesty should conceal, but which was cal- "culated, at all events, to save the honour and the "interest of the United States harmless. On enter- "ing the ground of war with Hamet Bashaw, Mr. "O'Bannon and myself *united in a resolution to perish* "*with him before the walls of Tripoli, or to triumph* "*with him within those walls.* In the former event, "we should have acquitted our duty, in the latter "glorified our country. We were supported by "similar resolutions on the part of the commanders "in the squadron, and to encourage Hamet Bashaw "to perseverance, and in order to move understand- "ingly with him, I concluded the convention with "him, which has been made the base of our treaty "with his rival.

"I have the honour to be, &c. &c.

(Signed) "WILLIAM EATON."

The transfer of Louisiana gave, in all probability, great uneasiness to the Spanish Monarch. And the conduct of Mr. Jefferson and his Congress, with respect to the territory on the mobile and Perdido, was well calculated either to excite his Majesty's greater alarm, or to provoke still greater contempt

than that he must already have felt, for the tameness with which the occlusion from New-Orleans was endured.---The conduct of the Spanish agents and officers, continually indicated a hostile disposition towards America. Spanish troops took post on our side of the river Sabine---a regular patrol of them was kept upon that river, and were every week relieved from the post at Nacogdoches. Six hundred soldiers were detached from Havanna to Pensacola, and the garrisons of Mobile and Baton Rouge were reinforced. American citizens were sometimes taken and carried away prisoners---and sometimes had their horses taken from them, as was said, for the use of the king of Spain, Every thing demonstrative of hostility and contempt was done, to provoke the Americans, and our commanders bravely talked of repelling them. On the third of December, 1805, the President, in his message to Congress, stated that spoliations on the sea were still carried on by that power ; that inroads had recently been made into our territories, and that our citizens had been seized and plundered by the regular officers and soldiers of the Spanish government. The whole Union naturally looked for war---and they had a right to do so, when even the President was emboldened to lay down in his speech, such facts against the ally of Napoleon ; but still negotiation and protractive expedients were resorted to. At this crisis a circumstance occurred which could not but considerably inflame the indignation, and at the same time excite great scorn in the eye of Spain against our Executive —this was the expedition of Miranda, which has

made so much noise, and excited so much curiosity in the political circles of the world.

General Miranda, a native of South America, and an officer of great military talents, had long contemplated with anxious desire the liberation of his country from its dependence upon old Spain. Without departing from his intention, he entered into the service of France, and during the revolutionary war was raised to the command of an army. In one of the revolutions he found it expedient to leave France, and passed over to England, where he pushed his scheme with all the address, persuasion, and interest of which he was possessed. Whether he was ever cordially, or at all received by the British government, is much to be doubted. However he contrived, by private means, to raise resources for the prosecution of one of the most rash and extravagant enterprises, that ever was undertaken by man. For the purpose of affecting it he crossed over to America, and in the middle of December, 1805, went to Washington where he had an interview with Mr. Madison, the Secretary of State---laid before him and the President his plan of an expedition against the Carraccas---shewed them letters from friends in that country, which went to prove, at least, the great probability of his success---unfolded to them a plan of the government which he meant to establish in those Provinces. The President attentively perused and considered the plan—kept it twenty-four hours, and then returned it to the General, with expressions of much approbation. Miranda suggested the advantage which his enterprise, if carried on

with vigour and spirit, would be to the United States, with a view to the hostile relation in which the two nations stood to each other, and urged the coöperation of the American government with him, in the execution of his design---to which Mr. Madison replied, that Congress did not approve of going to war with Spain.—Finding the Executive unwilling to come forward *openly* in support of his intended enterprise, General Miranda replied that though government should not be disposed to aid him, he would carry the plan into execution himself---provided they would not interfere with his preparations; to which the Secretary of State made answer, that provided Miranda proceeded with proper caution, so as not to commit them, the government would shut their eyes upon the matter. With this assurance Miranda returned to New-York, to make preparations and proceed upon his enterprise.

He had been acquainted with Colonel William S. Smith, one of Washington's revolutionary officers, and to him he had freely imparted his intention, made him privy to all that had passed between him and the President and Mr. Madison, and afterwards had written to him from Washington an account of every thing that occurred on the subject. Of Colonel Smith, Miranda, upon his return to New-York, inquired about a vessel proper to be employed for his use in returning to his native country. Colonel Smith for that purpose, introduced him to a Captain Lewis---Captain Lewis again referred him to Mr. Samuel G. Ogden, and with Mr. Ogden, Miranda made an agreement to furnish him with a vessel

called "the Leander," which was to go out with him to Jacquemel, and thence carry him over to the Spanish Main, as near to the town of Carraccas as possible; or failing in this, to bring him back to New-York. Colonel Smith very naturally concluded that he could not be wrong in going so far, when he had every reason to believe that the Executive tacitly permitted it. Indeed so well convinced was he on that point, that he gave permission to his son, William Steuben Smith, to accompany the General in his expedition. The Leander when she sailed had one hundred and eighty men, and large quantities of arms, such as muskets, rifles, pistols, pikes, field pieces, howitzers, ammunition, military uniforms and quantities of military stores of all kinds. Miranda carried with him, besides, two printing presses, with ten or a dozen journeymen printers.---After clearing out at the custom-house, the vessel remained a fortnight in port to embark recruits. All this was done so publicly, and the causes of delay were so well known, that nothing could be better understood; and the object and enterprise of Miranda was all over the Union for a long time before he sailed. Every body knew it---every body was convinced that government must be apprised of it. Nor could it be otherwise---for there lay, in the eyes of the world, the subject of general conversation, a hostile armament for several weeks preparing and at length fitted out, consisting of American ships, under the American flag, commanded by American officers---navigated by an American crew---manned by American volunteers, and armed with American arms and American

implements of war, designed to attack some place, and that place well known to be the Spanishcolonies.

Though more averse than any man to open, direct, honourable war---indeed shamefully so, Mr. Jefferson knew full well how to carry on underhand, sly hostilities. His conduct upon this occasion was virtually an act of war against Spain---his not taking measures to prevent the sailing of the expedition being as much a trespass, as his being actively instrumental in fitting it out would be.

As soon as the Leander had sailed, the lively expectation it excited in the public mind occasioned much conversation, and conversation begat rumours of various kinds. Little else was talked of. It was the topic of every company, and the people, coupling the affair of the quiescent conduct of the Executive, which they thought to be only a stratagem, with the well known state of our relations with Spain, and with the Spanish insults and wrongs, so luminously pointed out and dolefully complained of in the President's speech, conjectured that Miranda was to act in coöperation with some secret movements of our government, or at least that they would serve as a mutual diversion to each other. What then must have been the general surprise when it was publicly understood that the Executive ordered prosecutions to be commenced against Colonel Smith and Mr. Ogden, for privity with, and aiding of Miranda?

If the injury done to the country by involving us with Spain were all that claimed concern and reprobation, it would be comparatively well, since the injury might be got over in one shape or other. But in

the course of the prosecution a brain blow was given to the constitutional security of the citizen, unexampled in any country pretending to be free, and unsurpassed in any of the worst despotisms. No sooner had the Attorney-General of New-York received instructions from the Executive to prosecute Smith and Ogden, than a warrant was issued against them, and they were arrested and brought before a Judge. It would be doing the Bench of Judges of the day great injury in the eyes of posterity, to leave unparticularized the name of this man, and thereby to subject them to have their characters confounded with his.

On the first day of March, 1806, Colonel Smith and Samuel G. Ogden were brought, by virtue of a warrant, before Judge Talmadge, and informed that they were, each of them, then before the Court in two capacities---the one as a person charged with an offence---the other as a witness against others concerned in said offence, and that in the latter capacity the Court would compel each to answer all questions it might please Judge Talmadge or the Attorney-General to put to him. The prisoners were then sworn as witnesses, and called upon to give evidence, each against the other. They each remonstrated with Judge Talmadge upon the illegality of compelling a citizen to answer, in any capacity, questions which might tend to criminate himself; when the Judge---(JUDGE TALMADGE)---told them that neither of them was bound to make answers which would criminate himself---but, nevertheless, he put questions, to Ogden particularly, the answers to which

would necessarily go either to exculpate or criminate the person to whom they were put. Ogden refused to answer them, on which Judge Talmadge ordered him to be committed, and directed a warrant to be made out for sending him to prison. Aware of his ignorance of the nice distinctions of the law, and uncertain how far he was justified by them in his refusal to answer, Mr. Ogden prayed Judge Talmadge to postpone the questions till he should duly consider whether he ought to answer them or not. Whether he were bound to answer or not, this was an indulgence which ought to have been granted him; but JUDGE TALMADGE peremptorily refused to grant it---insisted on his answering the questions immediately, and even refused him leave to send for counsel, learned in the law, to advise him. Ogden was a merchant, and very naturally apprehended that a commitment to prison would ruin his affairs. He had the feelings of a family too, to consult, and they would be dreadfully distrest at hearing of his confinement; he therefore thought it more prudent to comply---and thus, in a country calling itself free, was his testimony extracted from him by compulsion. He was then called upon to sign the same; and on his objecting to it, was again threatened with imprisonment, terrified into compliance, and obliged to give security for his appearance at that very District Court. Colonel Smith, who probably knew what the result of opposition would be better than Mr. Ogden, said, when Judge Talmadge insisted upon his answering, that it was unnecessary to put particular questions to him, as he would, without them, but still with the protest

that it was under the compulsion of Judge Talmadge, detail all he knew respecting General Miranda and his expedition. This he did in the shape of a narrative, without any further questions. That narrative was, by Judge Talmadge, *falsely* styled "the VOLUNTARY examination" of Colonel Smith---that is to say, taking advantage of his relating the matter in the form of a narrative, without interrogatories, though under the strong arm of inquisitorial compulsion, he called it his VOLUNTARY evidence. It was eleven o'clock at night when, this being done, Colonel Smith, a veteran military officer, was compelled to sign and swear to his declaration, and to give bail instantly for his appearance. He had been Surveyor of the port, and was perfidiously deprived of that office by the very man, whose acquiescence and connivance in the plans of Miranda had been, to his mind, a perfect warranty for his entering into the business. He supposed, as every one did, from the aspect of affairs and the President's speech, that Miranda's expedition only made a part of an extensive plan of operations on our side against the haughty and encroaching Spaniard. In what country but France could one reasonably expect such gross oppression to be attempted, much less to be practised with impunity. It is afflicting to think that the affairs of this highly respectable officer, in consequence of the injustice shewn him in the privation of his office, and the oppression of abused authority, sunk into such embarrassment that he was arrested by civil process and confined in jail for debt. At the sitting of the District Court, the certificate of the Sheriff of the

city and county of New-York that the Colonel was in his custody was produced, and his sureties thereupon were vacated. The Sheriff of the city and county refused to deliver him up, on the warrant of Judge Talmadge; on which Judge Talmadge ordered a *habeas corpus ad testificandum* to be issued; though at the very time, issue had not been joined in any case in which Colonel Smith could testify as a witness.

On the first day of April, the Circuit Court was opened. Judge Talmadge alone presided. To the great misfortune of the accused, Judge Paterson was too sick to attend; to the great misfortune of the Union at large, that luminous, learned and upright Judge soon after died. Ogden was surrendered by his sureties, and committed to the custody of the Marshal. An application was made by his counsel for a *habeas corpus* to bring him up, together with the cause of his commitment, and granted; and as it did not appear by the return of the Marshal that any crime was charged against him, his counsel moved the Court to discharge him; but Judge Talmadge ordered that he should be remanded to the custody of the Marshal, unless he should give security, himself in ten thousand and one surety in twenty thousand dollars, to abide the order of the Court, and then bound him in another recognisance of five thousand dollars, to appear as a witness. It was in vain his counsel justly animadverted upon the tyrannical oppression exercised in calling for such excessive bail---Judge Talmadge refused to lessen the sum.

That every part of this transaction so disgraceful to all concerned in the prosecution, may make its proper impression as the history of it proceeds, it is requisite at this stage of it to anticipate the issue, and to state that all the time these measures of cruel despotism were put in practice, the objects of it were guiltless of the crime laid to their charge. Indeed, the severity that was exercised was no slight presumption of their innocence. Had the prosecutors believed them to be really guilty, they would have contented themselves with the legal process, or more probably taken credit for some lenity. But here a double work was to be done—Smith and Ogden inculpated, and the President and his Secretary exonerated from all blame. Unfortunately for the prosecutors, the whole plans of the grand democracy of America were not yet accomplished. The Judiciary had sustained a shock, but the common law was not abolished---a Jeffersonian Judge was on the bench to be sure ; but the trial by jury yet remained, and twelve honest jurors were more than a match for the liberality and legal ingenuity of a Sanford, the virtue and modesty of an Edwards, and the justice and judicial integrity of a Talmadge. Smith and Ogden were not only actually guiltless, but were acquitted.

Before the trial, Smith and Ogden pleaded in abatement, that the Grand Jury by whom the bill of indictment was found, had before them illegal testimony, and that the accused were compelled to criminate themselves. And this plea was particularly enforced by the Grand Jury's bringing in a present-

ment against JUDGE TALMADGE himself, in which they described HIS CONDUCT in taking the examination and depositions of Smith and Ogden, as UNUSUAL, OPPRESSIVE AND TYRANNICAL. In order to establish their justification, they procured subpœnas to be issued and duly served, among others, upon Mr. Madison, Secretary of State, Mr. Dearborne, Mr. R. Smith, Mr. Wagner and Mr. Thornton, all of them officers in the executive department, being well assured that the evidence of these persons, provided it were properly drawn out from them and sifted, would demonstrate that the guilt of Miranda's fitting out was not to be ascribed to the defendants—in other words, that the Executive had purposely winked at it. When the day of trial came, not one of those witnesses appeared—those great men wrote an apology stating that the President could not dispense with their attendance at Washington—and thus were the citizens of this free country, so boastful of its equality, deprived of the evidence deemed necessary to their justification on a charge of a criminal nature, merely upon the assertion of one man and that a person likely to be implicated in the charge by that evidence.

Under all these disadvantages, those two injured persons were acquitted. Indeed, who could believe that a gentleman in the circumstances of Col. Smith, possessing so respectable an office as that of Surveyor of the port of New-York, would at all, and still more so, openly go along with Miranda, or as a tender father have trusted his son with him, if he had not been in his heart assured of the approbation of the Executive---or could a merchant, a

man of good sense and discretion, have possibly suspected that there was any thing illegal in a business put into his hands by an officer so high in the executive service as the Surveyor of the port of New-York. The nature of the prosecution was too transparent and intelligible ; the turpitude of its promoters too glaring to evade detection from the dullest capacity---it was too base and mean to escape the execration of every indifferent person.

The difficulties of the President every day accumulated, and his efforts to evade them only increased their number and swelled their magnitude. From Mr. Madison's telling Mr. Randolph that " Bonaparte " would not permit Spain to come to a settlement " with America till the latter paid him a good round " sum of money," and from his insisting at the same time that " France must have money," it is evident that our cabinet knew that the councils of Spain were under the controul of Bonaparte, shielded by whose all-subduing arm, the Spanish officers might wantonly insult America with impunity, make as many incursions and encroachments on our territory as they pleased, and while they heaped wrong upon wrong on this injured country, amuse themselves with the fears of our Executive and his miserable temporising expedients to avoid an open rupture, and yet preserve the appearance of independence and spirit. The mixed emotions of resentment, disgust and scorn, with which Spain and France must have contemplated the Miranda cause and its issue, would be difficult to imagine or describe. As certain barbarians worship the devil from fear, so our Execu-

tive worshipped Bonaparte---and there is little doubt that the prosecution of Smith and Ogden was the commencement of a penitential sacrifice, at which those innocent men were to have been offered up as oblations to assuage the anger of that offended devil-deity.

The fatal result of Miranda's expedition is too well known and will not be forgotten. The unhappy fate of our countrymen who were taken, and who expiated their error in dungeons and chains and by ignominious death, will be held in lively remembrance by many in America, and will probably, in its proper time, come home to the bosoms of Mr. Jefferson and Mr. Madison themselves. One miserable attempt was made to justify the conduct of the Executive. It appeared in the National Intelligencer, and bears strong indications of being the production of the philosopher of Monticello---it insisted that the duties of those gentlemen as officers of government were different from their obligations to their country as private citizens; and that however disposed they might be, they had no legal authority to take legal steps against Miranda, until his intentions were displayed in his actions. But that wretched attempt---that disgusting mixture of metaphysical drivelling and sophistical quirk, rendered the brand of guilt still deeper and blacker, and was in truth, an enormous aggravation of the duplicity which vitiated the transaction---duplicity which has stained the far greater part of the transactions of Mr. Jefferson's life. He that wrote that defence quoted the act of Congress of the 5th of June, 1794---

it was before him while he wrote it, and therefore, he knew and so did Mr. Jefferson, if, indeed, that writer and Mr. Jefferson were different persons, that that act made it the duty of the President to employ the land and naval forces of the United States, in restraining not only expeditions actually fitted out and armed, but also expeditions ATTEMPTED to be fitted out and armed. Not to mention the long protracted preparation and delay after it, all of which the Executive must have heard. The very avowal of Miranda, which Mr. Jefferson's advocate in his defence admits, that he came to America to fit out an expedition against Carracas, was an ATTEMPT. Mr. Jefferson too well knew that it was to him and him alone it was competent to interfere and arrest the progress of the armament, because the Judiciary department was not to take the lead in any measures which directly affected the intercourse of the United States with foreign nations.

While these things were in agitation on the Atlantic side of the Union, perplexities of another kind were arising on those which lie upon the Mississippi and Ohio. A paper in that part of the country entitled "The Western World," for some time appeared to be sedulously employed in the discussion and developement of a conspiracy, said to be formed in Kentucky, for disuniting those States which lie westward of the Alleghany mountains, from the old part of the Union. In the course of this discussion, a great deal of matter was revealed of which the people of the Union in general had been entirely ig-

norant. The existence of the conspiracy even then was not doubted; and though the persons concerned in it were not generally known, some were shrewdly suspected, and that suspicion pretty universally fell upon one man. General Wilkinson was supposed to have received considerable sums of money from the Spanish government.

When once the subject began to get abroad among the people, the constituted authorities found it expedient to take it up. In the Legislature of Kentucky it was inquired into, and from the evidence exhibited before them, it appeared that from the time of the treaty in 1782, the court of Spain had used all its influence, and made every effort to detach that State from the Union, and to excite disaffection among the inhabitants of the western country; that in order to accomplish this, Spanish agents had made propositions to influential individuals, to seduce them over from the interests of the Union to those of Spain. Large sums of money had been expended in corrupting the fidelity of persons in the States of Kentucky and Tennessee. Those who know the nature of that kind of political entity a democrat, and have noted the whole conduct of that kind of being as heretofore displayed in this history, will not wonder to find that the Spanish agents found abundant numbers of corruptible persons among the men of influence and office in those States. Accordingly, it appeared upon the evidence of some of the culprits themselves, that the corrupt instruments of Spain in that infamous conspiracy, were high Kentucky PATRIOTS—leaders of

DEMOCRATIC SOCIETIES; men who called themselves "FRIENDS OF THE PEOPLE." High in this list, if not of the prompt bribed slaves of Spain, at least of those who were privy to and winked at the treasonable proceedings, were two men of no less consequence than Judges. One of these was a Judge Sebastian. A committee being appointed by the Legislature of Kentucky to inquire into his conduct, the result was that the fullest and most satisfactory proof was adduced of this HONOURABLE DEMOCRATIC JUDGE HAVING HELD A PENSION FOR LIFE OF TWO THOUSAND DOLLARS A YEAR FROM THE GOVERNMENT OF SPAIN, EXPRESSLY FOR PERSONAL SERVICE. The other, Judge Innes, avowed plainly upon oath "that he had been informed of the affair, and was made privy to the designs of Spain so long ago as the year 1797, by the other Judge Sebastian, who gave him a paper containing propositions from the BARON CARONDELET, handed to him by Thomas Power, the agent employed by the Baron. In this paper it was declared that one hundred thousand dollars were appropriated to the use of Messrs. Sebastian, Nicholas, Innes, and Murray, in consideration of their devoting their time and their talents to the business of impressing on the minds of the people a conviction of the necessity of withdrawing from the Federal Union, and of forming an independent government---of the benefits they would derive from a secession, and of the danger of permitting the federal troops to take possession of the posts on the Mississippi, and thus forming a cordon of fortified places around them. It

was further stipulated, that if any of them should forfeit their employments in the prosecution of their business, compensation should be made to them whether their efforts were crowned with success or met with disappointment. The boundaries of the lines between the respective territories of the two nations were specified, and military stores were promised to aid them in effecting their independence. This was the outline of a provisional treaty. The paper was given back to Mr. Thomas Power, with a refusal, as Judge Innes said, on the part of him and Mr. Nicholas, to have any concern with it. When it was put to Judge Innes to tell why he or his friend Nicholas did not communicate the matter to the Executive of the United States, the reasons he gave were the following, whish are stated in their own words.---They are deserving of remembrance as they display in true colours not only the character of the men, but the nature of their faction.

1st. "That it was well known that neither of us approved of "Mr. Adams's administration, and that we believed *he kept a* "*watchful eye over our actions*, that the community must de- "pend upon his opinion of our veracity, and it would have the "appearance of courting his favour."

2d. "That we both had reason to think, and did believe that "the then administration were disposed, upon the slightest pre- "text, *to send an army to this State*, *which we considered to be a* "*grievance upon the people*,* and therefore declined making any "communication on the subject, as we apprehended no danger "from the Spanish government."

This man, by his own confession on oath, guilty of concealing a conspiracy against the peace and in-

* So did the Baron Carondelet in his instructions.

dependence of the Union, was nevertheless continued in office as a Judge, instead of being impeached as he ought to have been, for misprision of treason; nor was any punishment inflicted on Judge Sebastian by regular process of law. For fear of being dismissed from his office of Judge, he resigned; and there the matter ended. It appeared too from the representation of Mr. Andrew Ellicott, that ten years before this public discovery, the conspiracy was known to be on foot, and that his information respecting that plot had been for some years in the hands of government.

In his own account of his motives, Judge Innes betrays the wickedness of his purposes; and it is afflicting to think of the unhappy state of that country which is governed by a chief magistrate, to whom such motives and purposes operated as a favourable recommendation of a man who entertained them; and who probably introduced them into his depositions for that very purpose. "It was well known "(says he) that neither of us approved of Mr. Adams's "administration*---and that we believed *he kept* "*a watchful eye over our actions.*" Had Judge Innes been under the gallows for the worst crime, that one assurance would have procured him a pardon from Mr. Jefferson. This was one of his excuses for not discovering the plot, and it saved him. Had he been a friend to Mr. Adams and his administra-

* Such men's disapproving of Mr. Adams's administration, and approving of Mr. Jefferson's is natural enough. It is of just such men as Innes, Mr. Jefferson's party is composed.

tion, he would have been persecuted and hunted down; the barriers of the Constitution and the laws would have been broken down to get at him; and the first law authority in the Union would be impeached by our doughty Chief Magistrate, in a message to Congress, for not wrenching the law to hang him.---Who can doubt this, since it has all been done in a case which remains yet to be mentioned. Judge Innes's second reason was, *his fear of an army being sent into the State*, and in this he obviously complied, and coincided with the wishes and instructions of the Baron de Carondelet, given to him by Mr. Power. It ought to be kept in mind by every one who reads the history of America, that in three insurrections, and two conspiracies to give up the territories of the United States into the hands of a foreign nation, all of which occurred in the very childhood of the republic, and within the compass of twenty years, not one being was concerned, but those who made up the party of Mr. Jefferson---that is to say, the democratic or French faction. The Secretary, and most active man concerned in one of the insurrections, (Mr. Gallatin,) being taken to Mr. Jefferson's bosom, and made Secretary of the Treasury, and of course one of his privy counsellors---and some of his most favoured, confidential officers and friends, being more or less implicated in the conspiracies. By what Chief Magistrate on this side of Asia, would General Wilkinson be continued in the office of commander in chief, or Innes be allowed to pollute the bench with the crime of misprision of treasonable conspiracy upon his head.

The train which was to set fire to the combustibles laid in the western States, by the machinations of Spain and the treachery of our western patriots, was unskilfully laid, and was supposed to be more perfectly adapted to its intended purpose than it really was; when an unforeseen, unexpected, and most extraordinary event, drew the eyes of the public upon it, and compelled the Chief Magistrate to exert himself in bringing the whole body of disaffection in that quarter to light. The event alluded to is the conspiracy, attributed to Colonel Burr.

Colonel Burr had filled the office of second magistrate of the Union, and if any thing derived from such a quarter, as that from which that distinction came from, could be an honour, he had the honour of as many votes, for the chief magistracy, as Mr. Jefferson. For he has the discredit of having stood as high as Mr. Jefferson himself in the estimation of that party, which has for many years disturbed the tranquillity of the country, and nearly brought it to ruin by its jacobin principles---that party which raised Mr. Jefferson and him to equal claims to the presidency, and which, in a short time afterwards, was prevented, only by the potent arm of the law, from bringing him to an ignominious death. For though the extraordinary success of his schemes, subsequently raised Mr. Jefferson to a higher rank, and ultimately to an ascendancy as dangerous to the country, as undeserved by himself, yet nothing is more certain than that there was a day, when Colonel Burr held a no less exalted station in the opinions and hearts of the grand democracy and body jacobin of

America. The assertion stands in evidence on the face of the election for President, on which undeniable test, they had the very same number of voices, and as a proof that this was not a casual, unadvised or hasty decision of the party, they would not, when they might have done it, take a single vote off from either to give the preponderance to the other. To those who have scrutinized the characters of persons and the nature of the faction which supported them, it will appear extraordinary, that two men so very opposite in their qualifications, should be held in such equal estimation by so great a number of the same persons. Boldness of design, enlarged views, ambition of high reach and great grasp, backed by an intrepidity of spirit, fit alike for the field or the closet, and unrestrained by any of those checks which clog the efforts of ordinary men, distinguished the one;---narrowness of conception---timidity so signal as to have become almost proverbial, hypocrisy, duplicity and a proneness to little means, cramped the workings of a no less exhorbitant ambition in the other. Habituated to give his worst purpose its undisguised act, the one stood in the eyes of the more pure and correct, in a state of continual reprobation, while the other, well practised in all the arts of concealment, and accustomed to execute his deepest devices by the agency and under the cover of others---to keep himself out of sight--- to evade responsibility---to draw the credit of meekness and moderation from his seeming backwardness, and to mask his weakness under affected lenity, was deemed less ambitious. By both of them, however,

dissimilar in all things else, concurred in a determination to please the faction and to deceive the multitude. And so various are the means with which man is supplied for the accomplishment of his purposes, that both succeeded alike in obtaining an influence on the public mind, therein exhibiting a rare instance of two men performing, with equal success, the very same part in two different ways, and with directly opposite powers.

The station which Colonel Burr held in the opinions and good will of the ruling party is insisted upon here, in justice to the federalists. For extravagant, and even out of the course of nature as such impudence may appear, it is nevertheless true that as soon as the leaders, or rather drivers, of that portion of the people called the democrats found or falsely inculpated this former idol of theirs, Colonel Burr, in the guilt of treason, they directly and publicly asserted in their prints, that he had been raised to office by the federalists---the direct reverse of which was in reality the case. It is but fair to assign to that party the whole merit of having endeavoured to raise Colonel Burr to the office of President---more particularly as they avowed it was a matter of regret with them that there were not two offices of chief President, to enable them to make Mr. Jefferson and him as equal in power and rank as they were in the affections of the party.

The truth is, and it stands on record, that whatever merit there may be in generating tumult, sedition and rebellion; in fomenting popular disturban-

ces, in raising insurrections, and forming treasonable conspiracies, all of it that has occurred to the United States is the exclusive, undivided property of the democratic party. Beginning with Shay and going through Sebastian, Nicholas, Genet and Gallatin, down to Wilkinson, and including Burr and Blannerhassett ---they, and every associate of theirs, were of the democratic party. The winding up of our European relations may perhaps add another---a greater, and (but God of his mercy avert it) a more fatal item to the catalogue.

Mr. Jefferson was astonished to find that Colonel Burr stood upon an equal footing with himself in the estimation of the party; and he was chagrined at the thoughts of such an indisputable proof of it being made so public. Humble as he once was, and ever pretended to be, he could not now brook an equal; and he saw in the character of Colonel Burr, that which was to be feared. The canker-worm of envy fastened upon his heart---and it soon was understood among the creatures of the President, that Colonel Burr was to be put under private interdict. This evil disposition towards the Colonel spread with the speed, subtlety and invisibility of the electrical fluid, through that part of the party which went with Mr. Jefferson and Mr. Madison. It was as potent as it was quick---potent to wither and destroy unseen, was filled with the true French spirit, rectified to the highest attainable degree of sublimation, and was considerably increased by the freedom with which the Colonel animadverted upon the measures of the President, and expressed his disapprobation of Mr. Jefferson's policy, his con-

tempt of his littleness and meanness, and (as it is believed) his suspicion of the views of that gentleman and his partisans with regard to France, which every day became more obvious. The very fact of the elected Chief Magistrate of a republic which was at one time, and still boasted to be, the most free in the world, having received a subordinate post under the most profligate, blood-stained despot that ever lived, would be of itself enough to give a guilty colour to the whole of that magistrate's designs. The impotent, continental monarchs of Europe (poor things) were compelled with the sword at their throats, to accept a post in "THE LEGION OF HONOUR—" the body guard of the Corsican. Mr. Jefferson had no motive of that kind, to disgrace his high office and abuse the nation that elected him to it, by becoming one of the body guard of the tyrant of France. His was not a compulsory acceptance; with him it was a fond choice, perhaps but one of many ligaments that bound him either in affection, confederacy or subserviency to that enormous monster. Thus every thing on the part of Mr. Jefferson conspired to impress Colonel Burr with contempt and disapprobation; while on the part of the latter every thing appeared that could excite the jealousy and envenom the malice of the former. In the public sentiment respecting the Colonel, so intelligibly declared on their joint election---in the manly and vigorous qualities of that gentleman, and in his own consciousness of evil designs to be effected by such dubious means as his, Mr. Jefferson foresaw his own declension and the ultimate exaltation of a formidable rival. No man ever possessed the power of

whispering away the popularity, of injuring the interests, or of destroying the character of a rival or an enemy, by clandestine cabal and base and ungenerous exercise of influence, better than Mr. Jefferson. His antipathy to Colonel Burr was immediately adopted by all his creatures—in which class may, with few exceptions, be enumerated nearly all the men in office, or hoping for office, in the Union, from high to low—a very great majority of the Representatives, and a very great majority in the Senate of the United States. The great popularity of the Vice-President with the faction declined not very gradually, and was consuming away like fungous flesh under caustic, when a single rash and unadvised act of his---an act which, considering his intimate knowledge of the men, looked as if he were impatient to provoke the enmity and indignation of the faction, gave it a deadly blow, and all at once accomplished more than Mr. Jefferson could at so early a stage of his hatred have presumed to hope for. At an entertainment of respectable and influential men, Mr. Burr being called on for a toast, had the hardihood to give, "AN "UNION OF HONEST MEN." The bare thought of such a thing smote the party to the heart—it trembled through all its classes at the very sound. Colonel Burr was immediately and publicly denounced as an enemy---and as the *modesty* of Mr. Jefferson readily suggested to him who the chief object of the sneer of the toast was, he resolved to mark the toast-giver and to lose no opportunity of making him feel how great was the impolicy as well as insolence of wishing so very unreasonable and injurious a thing

as "AN UNION OF HONEST MEN." A short time afterwards some young men at Washington, by way of complimenting the principal personages just arrived at the seat of government, gave a serenade, and after having paid their *devoirs* at the door of Mr. Jefferson, went to that of Colonel Burr and serenaded him. This last was construed into a crime that called at least for censure, if not positive punishment---the *crimen læsæ majestatis*;---and a young gentleman who had a place in the navy, and was one of the serenaders, was dismissed with a severe reprimand for an inchoate act of treason against his majesty the President, and his partisans.

Though abandoned by the larger portion of the democratic party in the Union, Colonel Burr had still some fast friends in New-York, and as it began to be evident that a deliberate plan was laid to give Virginia a complete ascendancy over all the other States, and to select in continuity the President from it on every election, Colonel Burr's partisans encouraged him to maintain his ground. While he was struggling for this purpose, a quarrel arose between him and the illustrious General Hamilton, which terminated in the most unfortunate event imaginable---the severest blow this country ever sustained---the loss of her best hope. The horrible transaction is sufficiently known, and is too painful to dwell upon. The great and deserved veneration in which General Hamilton was held, even by the democrats, (their worst villains excepted) kindled in the bosoms of the people an indignation against Colonel Burr, amounting to fury. The creatures of Mr. Jefferson, though

many of them rejoiced at the death of that vigilant guardian of the country's rights, affected sorrow only to employ it in fomenting the general anger against Burr. A Jury of inquest returned a verdict of murder against him. He was obliged to retire ; and thus, an outcast from both parties---abhorred by the mass of an indignant people, was this unfortunate man, but lately the idol, the adulated, worshipped idol of the majority of the commonwealth, and the second magistrate in the Union, driven to wander about and seek for hospitable refuge out of his own State. The deliberation and coolness with which the deed was committed, made the verdict of most men's minds pretty near akin to that of the Jury of Inquest---and the name of Colonel Burr was universally associated with that of murderer. Considering every thing then, his mind could not be very easy, his conduct was of course restless ; and in such a state of feelings, change of place and change of object are usually sought for, as reliefs. He visited different parts of the Union, and amongst the rest the State of Ohio, and the country on the western waters.

Nothing has been better understood than Colonel Burr's feelings respecting the dastardly conduct of our Executive with regard to Spain. The President's denunciation of Spanish outrages, in his message, and the general angry aspect of affairs in the vicinity of New-Orleans and the Mississippi, induced him to hope that the Executive had laid aside its unprosperous system of temporising, and it is more than probable that he hailed the dawn of war with Spain as another era in his life by which he should be

enabled, on the grounds of high services, to reclaim by his talents and valour, the popularity and influence he had lost by his rashness. He employed himself with great assiduity in cultivating the good graces of the people in those new countries, and unquestionably exerted himself with his usual energies in preparation for some enterprise of great moment. What that was, has never been perfectly developed. Three objects were assigned to him as being in his view—one was, an attack upon Mexico---another, the detaching of the western States from the Union---a third, the settling of a large tract of country on the Washita, claimed by a Baron Bastrop. The first of these objects would have been not only lawful but laudable, if, as was at that time suspected, we were going to war with Spain, the third too would of course be perfectly correct. In the second, and in it alone, there would be guilt, if such were really his views. But when the whole of that scheme was taken with all its circumstances into consideration by candid, honest men, they asked themselves this question?—"Is it probable that Colonel Burr has entered upon an enterprise so rash and unadvised, apparently so impracticable, opposed by so many and such insuperable difficulties, attended by so many hazards and dangers, and in case of failure ending in dishonour and ignominious death?" The answer nine times out of ten was that it was impossible, unless Colonel Burr were actually mad.

However, the greater part of the people were well prepared to receive without very minute examination any story of his guilt. The federal party habitual-

ly hostile to him, condemning his moral character, ever suspicious of his designs, and justly averse to his political principles, were worked up to the highest degree of abhorrence by the killing of that luminary of their country and glory of their party General Hamilton, while the democratic party and its leaders, detested Mr. Burr for scanning their purposes; and seemed to fear that he was the person appointed by fate, ultimately to defeat their disorganizing projects, which had been put into experiment some time before in Pennsylvania, and were there defeated by certain schismatics from the democratic party joining the federalists. The influence of the Executive, which had long been degraded to the support of the faction who meditated those disorganizing projects, therefore, was all brought to bear upon him in maintenance of a charge of high treason, and his supposed plot had not been one week a subject of public animadversion when, through that baleful influence, the public mind was so poisoned against him that it would have been found difficult to obtain a full panel of dispassionate men to sit as jurors on his trial. Never was there since christianity was established, any nation (France excepted) which for any one period of the same length, exhibited such deformed features of lawless and savage vindictiveness as America displayed on this occasion in her gloomy-hearted democratic majority. According to all good laws and to the dictates of common honesty and justice, every man is supposed to be innocent till he is PROVED to be guilty. But on this occasion as well as on others, the person was adjudged guilty, and even his execution

heartily and openly prayed for by the democrats, while those who would not join in the hue and cry against this supposed traitor, was considered as in heart joining in the treason. To such a perfect state of slavish acquiescence in Mr. Jefferson's mere word were the wretched people of that party brought, that they would without murmur or reluctance have sacrificed the great Constitutional right of trial by the laws and jury upon his mere dictum; and so entirely had he cajoled them into an unbounded faith in his speculations, that they considered any man who acted against those speculations as an enemy to his country, and a traitor worthy of death. What use Mr. Jefferson made of this abominable influence, on the present occasion, posterity will judge, when it is related of him that before any trial could be had, he, the chief magistrate of this republic, of this land of hypothetical freedom, justice and laws, did in violation of decency, and, as it afterwards turned out, of truth, as well as honour, in his message to Congress, declare that "THE GUILT OF BURR WAS PLACED BEYOND DOUBT."

Unquestionably there was evidence enough before the public to excite astonishment, and to justify the constituted authorities in proceeding to develope the imputed plans, in an orderly legal manner. The alarm raised in the public mind by the writings in that paper called the Western World, unfolding the conspiracy already alluded to, directed to the proceedings of Colonel Burr, the attention of the people there, and of none more than those very persons

whose privity in the old plot was more than suspected. The President for many months had intimations given him of Burr's having some project hostile to the peace of the Union; but the bird was not yet sufficiently meshed in the net---to stir might scare him away; so Mr. Jefferson would not move. From various quarters he received subsequent information of appearances which indicated some bustle and warlike preparations on the Ohio. Boats were said to be preparing---troops organized---arms in large quantities purchased—and if one hundredth part of the reports which found their way into the newspapers had been true, Burr must have had a most formidable armament in every stream, inlet and creek, on those numerous and amazing long rivers which empty themselves into the Mississippi. Every mail brought some new symptom of the danger of the country from Colonel Burr's mighty preparations, with some flattering accounts of the promised slaughter of his rebel host, and the prospective prowess of the militia. In one paragraph the soul was appalled with intelligence by "*a letter from a friend,*" stating that four hundred of Burr's men were expected down one river every moment; but was relieved in the next by an account of the gallant and patriotic resolution of the school-boys of the town to take arms and repel them. Now arrived an account that Colonel Burr had passed through one place and that six hundred men were following in scattered detachments of one or two each, through the woods to join him at some place which could not yet be ascertained; but on the heels of it comes another, that he

had taken quite another route---and another, that he probably remained still higher up the river. One time there was a tremendous alarm of his moving towards New-Orleans with a large force---and now it was feared that nothing could save the country---for even General Wilkinson the valiant, had not so much as one of his *vade mecum* culverins (gasconades) to let fly at him. In one letter the General stated that if he was not reinforced, New-Orleans must fall before Colonel Burr; and the worst of it was, that all the time no reinforcements were to be had. The Governor of Ohio called the Assembly together to debate upon the business, and by his orders some half dozen boats belonging to some one or other, but under the suspicious circumstances of having some eatables on board were stopped. The Legislature of Kentucky debated also. The next intelligence that arrived was, that Colonel Burr had been tried and acquitted in Kentucky—and the next, that notwithstanding that acquittal, he was to be indicted for the same crime and tried again in the Atlantic States.

On the 22d January, 1807, the President laid before the Congress in a special message, the whole transaction as it then appeared to him. This left the people in the same uncertainty in which it found them with respect to the number of boats and men. "The mass of what I have received in the course of "these transactions (says he) is voluminous, but little "has been given under the sanction of an oath, so as "to constitute formal and legal evidence. It is chief-"ly in the form of letters, often containing such a "mixture of rumours, conjectures and suspicions,

" as renders it difficult to sift out the real facts, and " unadvisedly to hazard more than general outlines, " strengthened by concurrent information, or the " particular credibility of the relater. In this state of " the evidence, delivered sometimes too under the " restriction of private confidence, neither safety nor " justice will permit the exposing names, except " that of the principal actor, WHOSE GUILT IS PLA- " CED BEYOND QUESTION."

He afterwards states, that in the latter part of October, being "*in this state of uncertainty as to the* " *crime contemplated, the acts done, and the legal course* " *to be pursued---the objects of the conspiracy too,* " *being so blended and involved in mystery that no-* " *thing distinct could be singled out for pursuit,*" he sent a confidential person to the scene to find the matters out, and that he had received from General Wilkinson a letter informing him that a confidential agent had been deputed to him by Burr, with communications, written IN CYPHER, explaining his designs, exaggerating his resources, and making him offers of emolument and command, to join him.— "*The General,* (says the President,) *with the honour of a soldier and the fidelity of a good citizen,* dispatched a trusty officer to me with information," &c. Proceeding in his message, the President states upon the strength of these representations of General Wilkinson, that Burr had three objects—one to sever the western States from the Union---another to attack Mexico---and the third, which he says was only a pretext to cover his designs, was to settle lands on the Washita. But that finding the attachment of the

western people not to be shaken, Burr had resolved to plunder Orleans and so proceed on to Mexico. The last part of the formidable intelligence stated in the message on the 22d December, 1806, is that Colonel Burr had descended Cumberland with "TWO BOATS ONLY." This is the sum total of the information which the message contained, that had the least tendency to criminate Mr. Burr, and this, such as it is, the President took on the simple asseveration of Wilkinson, of whose evidence, even upon oath, the President ought to have been at least dubious, since from his own account the General must have tampered with Colonel Burr, and whether it were for the purpose of acting the traitor to his country, or to the person to whom he affected to be the confidential friend, proved himself in that act of tampering, to be undeserving of credit. Yet greedily seizing upon this trash, this foul offspring of a common informer's invention, he, (the President,) without hearing the accused, hesitated not to give his authority to the sentence upon Colonel Burr, that "HIS GUILT "WAS PLACED BEYOND QUESTION." If this promptness to find Colonel Burr guilty without trial, or evidence, or defence, be compared with his tenderness and lenity to Judge Innes, the self-convicted, and to Judge Sebastian, the motives of Mr. Jefferson cannot be mistaken.

It is somewhat extraordinary that after all this clutter of rebellion and rebels, of military parade and boats, none appeared in evidence. Ten boats were seized near Marietta, and of the multitudes stated to be coming down to assault New-Orleans, there could

be found in the end no more than two boats, and those peaceably dropping down the streams of Cumberland river. Upon such grounds as these, did the President and his agents assure Congress that Colonel Burr's "GUILT WAS PLACED BEYOND "QUESTION." Upon such grounds as these, were the laws violated to persecute him. Yes! this gentleman, whose blood was thirsted for by a man whom he raised, and by a party of whom he was once the idol, was illegally dragged from the State where the offence he stood charged with was committed, to be tried in a distant State by a Jury not belonging to the former; and there, contrary to law, put to the bar and tried ---and with executive wrath, hatred, popular delusion, general prejudices----in a word, every thing but the laws, and every one but a few steadfast friends against him. There was he acquitted, by the solemn verdict of a Jury, which, while it liberated him, affixed on the President's sentence of guilty, given into Congress in his message, the indelible stain of falsehood. By unparalleled acts of violence, and tyranny too, the supposed accomplices of Colonel Burr were, without charge, trial, or warrant, transported to the same place---and discharged without trial.

The whole of this affair would be inexplicable, if the examination of it were left to rest where it now stands. But the character of General Wilkinson and his conduct through the whole affair, will perhaps help the reader to a clew by which he may get to the bottom of it. That Colonel Burr may have had a design to go against Mexico, is not at all un-

likely ;—but that he entertained the design imputed to him by Wilkinson, of plundering New-Orleans, or that he brought any force that could give cause for such an alarm as Wilkinson raised, is disproved by the conduct of Wilkinson himself. For even supposing that officer to be as stupid by nature, as ignorant of military affairs, or as timid as he is by many represented to be, he could not have been guilty of such a flagrant error as to act as he did, if he really conceived Burr to have so large a force descending to New-Orleans, as he (Wilkinson) pretended. For he not only weakened the Mississippi Territory, which would have been Burr's first object of conquest, by demanding five hundred soldiers from it, but actually dismantled Fort Adams, where he (Wilkinson) ought to have made a stand, at the very time that he made a great bustle and noise, declaring that he expected Burr at the Natches with two thousand men; thus, leaving the upper country entirely at the mercy of the rebels, and throwing his whole force into a town incapable of defence. If he really had any expectation of danger, it was curious enough that he should conceal it from the governor of that country, which was of course the first to be invaded, when it was on the contrary, his duty to call upon him to put himself and his State in a condition of defence. Instead of making (as he did) a requisition of militia from that country, he would, if he were sincere in his alarm, have marched at the head of the troops he had with him, to strengthen it, and in that place checked the first efforts of rebellion. There were many other omissions besides, that de-

monstrated his insincerity. He ought to have sent every document and evidence in his hands, relating to the supposed plot, and particularly the cyphered letter so ludicrously renowned, to the Governors of Kentucky, and the other upper States, to be a direction to them and to the Juries. If he was afraid that Colonel Burr had an intention, as he (Wilkinson) said, to plunder New-Orleans, and to seize the shipping there, he would not have laid an embargo upon the vessels in port, to keep them within the reach of Burr, nor would he have divided the naval force of government into miserable small detachments, stationed up and down along the river, when he ought to have collected them into one firm body, so as to act with full and combined power against the enemy as he descended. Nay, the four gun-boats, for the safety of which Wilkinson affected the greatest apprehension, were separated by his orders, so that they might have been taken separately one after another by detail, if half the force which he talked of, as belonging to Colonel Burr had descended the river.

In the black annals of despotism and illegality, there is nothing to be found transcending the cruel tyranny exercised at New-Orleans by that General Wilkinson.

The inhabitants of the Territory of Orleans were entitled, by the treaty of cession, to the benefits of the *habeas corpus;* and were declared bailable, unless for capital offences, where the proof was evident. And by further important provisions in the ordinance which organized the Orleans Territory, the benefits

of the writ of *habeas corpus*, trial by Jury, and a right to participate in the privileges secured by the seventh and eighth articles of the Constitution, preventing any person from being compelled to answer for any alleged crime but by proofs of law and by Jury, were again reassured to them. Wilkinson, whose conduct in the first conspiracies of Spain was by the most candid men considered as at best very suspicious, and which, in this business with Burr, was not only branded with turpitude and private perfidy, but carried in itself proof, almost demonstrable to the moral sense, of his having a participation at least, in the guilt which he was so instrumental in charging upon Burr, finding it necessary to assume the port of stern patriotism, and to play the part of the enemy of that treason in which he was supposed to have before figured in a very leading character, like most apostates, so far overacted his part, as to stand confessed in his own real character to every discerning eye. Conscience made him suspect all, who were not implicated with him, of being his enemies. The fury of his affected zeal was proportioned to the enormous quality of the vice which he meant it to conceal; its common warmth was not sufficient for it---it must burn---it must flame. To cover him from the suspicions of the world, it was necessary to make it blaze. By the clumsiest device that ever muddy-headed guilt invented, he first endeavoured to turn the public eye from himself, the legitimate object of suspicion, to Colonel Burr; impeached him of the guilt, in concerting of which he himself had a

share; foamed with zeal for his punishment, affected apprehensions for the safety of the country; and then magnified the danger beyond all stretch of belief, in order to justify that extravagant excess of zeal which his scared conscience told him was necessary to hide the manifestations, and to stifle the presumptions of his guilt. By this process he expected that the snake would appear to the world to have shed his skin, while it retained the deadly fang sound and replenished with poison. He hoped that, though in the grand drama which had for so many years been playing on the western waters, he had been suspected of acting the part of a conspirator, he might, in the winding up of the catastrophe, be developed in the unexpected character of the hero and the patriot, or else of the informer and the witness---that he might, like the monstrous production of Schiller's imagination, be the traitor and assassin, the grand bandit Abaellino, in the first act of the play---the patriotic and loyal Flodoardo in the catastrophe.

Having terrified the people with fabricated reports and bent Claiborne, the servile and impotent Governor of the place, to his views, he first laid an embargo upon all the shipping, and stationed a vessel to prevent its going out, without a passport from him. Here, in the very outset, he usurped the power which constitutionally belonged to the Legislature of the United States, and in the next place, thrust the Governor out of the bare semblance of his official prerogative. He put the whole country under military law, and subjected it to the military execution of his edicts. His spies or those of his creature Claiborne,

suborned either by their fears of those tyrants, or by the temptation of bribes, filled every house. Persons in the lawful pursuit of their necessary affairs were arrested---sometimes stopt on the rivers and high-roads and detained or ordered to go back. Even a member of the legislative assembly was stopt and driven back an hundred miles. Of many, the private papers were seized and examined—their letters were broken open and read, and their private affairs unfolded to infamous democratic inquisitors. The citizens and their very conversations were subjected to the controul and scrutiny of the officers of this hellish brotherhood---"LA MALDITA HERMANDAD" of Orleans. Upon the mere suspicion that he could give evidence against Colonel Burr, a citizen of this nominally free republic was in a time of profound peace, without any offence, or even an allegation or suspicion of his having offended being charged upon him, committed to prison, and without being admitted to bail was thrown into a stinking room, and detained with the common felons and negroes confined there, and never let out till he was brought forth to be put on board a vessel and transported to Richmond, whither he afterwards swore he would willingly have gone on legal requisition :---he was not even permitted to go to his lodgings for a shirt, but treated with every purposed cruelty and indignity, such as an honest man or a gentleman would not for worlds offer to the worst malefactor. If in the monarchy of Great Britain, a man, even though suspected of being an enormous offender, were

coerced of his liberty for one half hour, or treated with cruelty by the hand of power, unless on lawful process, the perpetrator, be he who he might, would be brought to punishment and retribution.* But in our free republic, a cruel imprisonment, and long and dangerous transportation by sea passes for nothing, or is sanctioned by government, if the person be only guilty of being *suspected to be capable of being a witness.* Some were taken up and privately hurried out of the territory; nor was the place where they were deposited known till it was by mere accident discovered. Two of them were released by writs of *habeas corpus* issued by Judge Workman, a man who had the spirit to maintain the supremacy of the civil power which had been so basely abandoned and prostrated under the feet of the military, and placed in the hands of an ignorant and treacherous military despot, by the mean, the dastardly, and the impotent Claiborne. A gentleman of high respectability and unimpeachable character, a Mr. Swartwout, was removed by Wilkinson to close quarters, and the officer of his guard constantly changed, so as to avoid a proper return being made upon the writ issued by the judicial power for his release. Another writ was is-

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* Every week instances of this occur in the courts of Great Britain. Even under the military law they are not uncommon. Sir Edward Hamilton, one of the most gallant and favourite commanders in the navy, knighted by the King for his extraordinary conduct, was *tried and dismissed* the service for striking a boatswain's mate without trial.

sued for the release of Doctor Bollman, who was *suspected* of being a capable witness, or an accessory. But Wilkinson refused to comply with it, and combining all that was tyrannical, illegal, and impudent into one black act, denounced the counsellors for daring to question his proceedings. Nothing was now wanting to finish this enormous monument of democratic tyranny and guilt, and to entitle it to a station on the same plain with those erected to LIBERTY AND THE RIGHTS OF MAN by those Pagods of our political heathens and philosophers of America, Marat, Robespierre, and the emperor and king Napoleon. Having trampled rough shod with the bloody hoofs of his military ruffianage over the civil rights of the territory, and having banished, imprisoned, transported, or denounced as many of the citizens as sated his savageness or gratified his caprice, he still thought his triumph over his country's rights, and over all virtue and laws, civil and moral, incomplete so long as the judicial bench, that sacred seat of justice, was left unrifled by malignant outrage. Judge Workman, for daring to support the established civil laws, and the constitutional rights of the citizen, in contradiction to the will of a military usurper, was arrested, dragged to the common guard-house, and there kept imprisoned till he was released by the interposition of the district Judge of the United States. The vindictive attacks upon that learned and spirited magistrate were not confined to this act of outrage. He had offended THE HELLISH BROTHERHOOD too highly to be forgiven. Being at

one time the secretary and private counsellor of Claiborne, he made use of the privilege which that office afforded him, to infuse into that weak and unworthy man, (worthy only of the magistrate who appointed him,) some little portion of the knowledge and spirit requisite to a governor---and to make him assert the just constitutional prerogative and dignity of his office. He had been the instrument and the adviser of all the first part of that man's administration that was laudable; he opposed every measure of his that was wrong and disgraceful, and he succeeded in preventing some. On the present occasion he strenuously urged him, in a letter which deserves to be recorded, to maintain his civil supremacy and to oppose the military tyranny of Wilkinson. But Claiborne, had neither the spirit to oppose the insult and usurpation of Wilkinson, nor the discernment to perceive that that ruffian's bluster was all a flash in the pan---the bravado of a spirit really tame, timid and hollow. Besides, he acted under the same impulse which set Wilkinson in motion. They were both but sub-despots---deputy-tyrants---the suborned but willing instruments of the grand despotism of Washington, which had found in the affair of Colonel Burr an occasion long and anxiously looked for, and in Wilkinson a fit instrument for the accomplishment of a plan long before deliberately formed, and to a considerable extent effected, against the Constitution of the United States.

It were needless to enumerate the various violations of the constitutional laws, and the many usurp-

ations of power which in quick succession followed each other since the accession of Mr. Jefferson to power. In one deadly attempt the faction was baffled---the impeachment of Judge Chase. Had that magistrate fallen, the whole Judiciary would have followed---and, as it is well known that the established system of common law was no less an eye sore to the presidential faction, there is no doubt that it would soon have followed the Judiciary. Repulsed in that favourite object, the President with his host fell back to recover their strength, and wait for a more favourable opportunity to out-manœuvre the federal guards, since he could not entirely rout them. As an able general in that way, he could not have wished for a more advantageous position of attack on the remnant of the Constitution that was left unbroken, than fortune now seemed to offer. In the first place, A FORMIDABLE REBELLION of, perhaps, a thousand men, with a leader of deranged circumstances at its head, would be enough, if managed with dexterity, to frighten the whole Union into the protecting arms of its Executive upon any terms; and would afford a pretext to stretch its authority without exciting political alarm, beyond the limits of the Constitution; more particularly as the same had been so often recently done before and justified by the majority in Congress---in the next place, the scene of action lay in a country far removed from the seat of government, and out of the cognisance of the luminaries of the law; so that oppression might act its part boldly, undisguised and unpunished, while a scanty scattered population precluded all fear of op-

position, and the habitual, unresisted exercise of authority in the officers of state, and the awe of a military force, which local circumstances made necessary on the boundaries, rendered the illegal assumption of power familiar and its evils little noticed. There, too, nice, legal or constitutional distinctions would not be started; and there, if any where, the last drop of the life-blood of the Constitution might be shed, and, mixed with that of the hated Burr, roll down with the river stream into oblivion.---It was not a time, nay, it would be ridiculous to stand upon ceremony about the presidential oath, after what had already been done. How far the person was right who selected Wilkinson for this butchery of the Constitution, the events already related testify. The Constitution, which Mr. Jefferson swore by his presidential oath to preserve, protect and defend, ordains that "the Judiciary power shall extend to all cases in "law or equity arising under the Constitution---that "no person shall be held to answer for a capital or in-"famous crime, except on the presentment of a "Grand Jury---and that no person shall be deprived "of life, *liberty* or property, except by process of "law." In every one of those provisions has Wilkinson, as an agent for the President, violated the Constitution at New-Orleans. Another provision of the Constitution was violated in the taking of Colonel Burr to Richmond for trial. For it expressly provides, that "in all criminal prosecutions the accused "shall be tried by AN IMPARTIAL JURY of the State "or District where the crime shall have been com-"mitted."

Those who were in habits of friendly intercourse with Colonel Burr, and to whom he was wont to unbosom himself, have thrown a light upon the obscurity of this business which, with the precious character of Wilkinson, will afford some sort of clew to the mystery involved in the whole transaction.

Wilkinson had been long suspected and spoken of (with what probability of truth each reader will decide for himself) as a commissioned pensioner of Spain. Many circumstances concurred to give credence to this opinion. Pecuniary advances were known to have been privately made to him by personages high in office in the king of Spain's service, at the very time that the agents of Spain were using every art to corrupt the people of the western waters. Wilkinson too was observed to live in a style of boundless expense and ostentatious extravagance. He affected the fine gentleman and grandee in the only ways in which he was capable of imitating them---that is to say, by boastful hospitality, a wasteful establishment, a vulgar, vain board, loaded with sluttish plenty, great parade and personal indulgence, and lavish expenditure. Every looker-on knew that his expenditures were far beyond his regular income, and the most hardy curiosity was baffled and at last wearied down in vain efforts to discover where those inexhaustible funds lay from which he drew such abundant supplies. Neither Washington nor Adams were in the habit of defrauding the honest citizen of his food to pamper vicious prodigality. They left that for the mendicant œconomist and mumping ora-

tor of " the mouth of labour" to do. Neither, till this affair of Burr's, had Wilkinson by his *virtues* established his claim to a share of THE PUBLIC SAVINGS of our arch œconomist. Even if the anticipating gratitude of Mr. Jefferson had BURST OPEN THE GATES of official peculation upon him several years before he earned it by his attempt upon Colonel Burr, it would have fallen short of the princely establishment of that one *honest, humble* democrat. As the goods of this life are not to be obtained without money, and as money is not to be got without some service or commodity given in return for it, the general conclusion was, that Wilkinson got his by an occasional barter with Spain of the only saleable commodity he was known to possess---his conscience.

For some time the ardour of Spain in her practices upon our people was observed to abate---enmeshed in the net of Bonaparte and involved in his plots against herself, she had not leisure to attend to her own plots upon others. Indeed, it would seem that ever since Bonaparte had entered into a traffic with Spain about Louisiana, the latter had desisted from her plan of bringing over the citizens of the United States.--- This, of course, cut off all those resources which Wilkinson derived from the bounty of Spain : but old habits are not easily shaken off---his extravagance must still be supplied---and the mines of Mexico must still, if possible, be made tributary to his prodigality. The invasion of Mexico, therefore, became an object, and he resolved upon it, when it should be practicable. As commander in chief of the army, he was highly gratified with the idea which

soon after was pretty generally entertained, being first suggested and encouraged by the President's speech, that war would be declared against Spain. In that event he thought he should make no difficulty of following the dictates of his duty to his country, because treason to her would be less profitable, and he looked with a greedy and impatient avarice to that region of opulence, Mexico.

Wilkinson was in this state of mind when Colonel Burr, being on his way to New-Orleans, fell in with him. Wilkinson was at the time armed with greater authority and supposed to be possessed of better information on the subject of the intentions of government, than any other person. He made no scruple to tell Burr that it was the intention of the Executive, as indeed it was the wish of the people at large, to go to war with Spain ; that nothing else would appease the indignation of the country ; that if there even were any backwardness on the part of the Executive, he (Wilkinson) could himself bring on hostilities by putting his army into a certain post in which the Spanish troops had orders to attack them; and finally, that the Executive was not at all ignorant of a project, for some time conceived, and then ripe for execution, to attack Mexico, and would be glad to hear of its successful execution. Having laid down his plan, he invited Colonel Burr, of whose talents of every kind he professed to entertain the most exalted sentiments, to take a principal share in the enterprise. Burr was in circumstances which forbid hesitation, and readily agreed to the proposal. It was a matter of public report that Wilkinson had often spoken

with contempt of the opinion of those who thought of keeping the States on the Ohio and Mississippi firm in an union with the others---and had been several times heard to call the Union "a rope of sand." There is reason to believe that this subject did not go untouched in his conversation with Colonel Burr---and this is rendered the more probable by a casual expression which fell from the mouth of Mr. Edmund Randolph, in his defence of Colonel Burr at Richmond: "General Wilkinson we beheld first acting "as a conspirator to ensnare others, afterwards as a "patriot to betray others from motives of patriot-"ism."

Thus instructed by Wilkinson, in concert with him, and placing the most perfect confidence in his assurances, Colonel Burr went away resolved to employ all his means and influence in furthering the plans of Wilkinson, in which it could scarcely be called guilt in Colonel Burr to coöperate, since the principal in it was commander in chief of the army and confidential friend of the President, and since Burr was persuaded that the project had the concurrence of the Executive. Precisely at this crisis, the gallant President received a hint from a quarter he was in the habit of *respecting*, that the hostile aspect of his message towards Spain had given umbrage, and that his threats against that quarter must be discontinued. Immediately his tone was changed, and the public were informed that the representative of his most Catholic majesty had given assurances of ample satisfaction for every insult. In a word, Mr. Jefferson (to adopt a vulgar saying) drew in his horns, like

a snail, to the astonishment and disappointment of the people; probably to the great mortification of Wilkinson, and to the unspeakable merriment and scorn of the Spanish ambassador. All idea of war being disavowed, Wilkinson began to tremble for the issue of his machinations. Plots of dismemberment were talked of. The prints of the faction, glancing at Burr, sounded the tocsin of alarm. Wilkinson concluded, as others in similar circumstances have often done, that it would be the best policy to be among the first to cry "stop thief," and issued a proclamation. The executive minions in Congress moved to suspend the *habeas corpus*, but the thunder of Mr. John Randolph's eloquence prevented it and overwhelmed the corrupt. Meantime, Wilkinson club'd efforts with the President, and armed him for the prosecution with a letter in cypher, which none but Burr and he could interpret. It is strange that it should not have occurred to the penetrating and sagacious President, that the cypher letter being written to Wilkinson and understood by him, was incontrovertible evidence of his being joined in the plot, if any there were---else how should he decypher it, or understand what the contents alluded to?

What must be thought of the baseness and treachery of Wilkinson? How should he have a knowledge of the secret cypher of Burr, if it had not been mutually understood between them? It was impossible he should:—besides, an oral message which was sent to Wilkinson and the words of the cypher letter proved a previous concert, and an intended coöperation. What an impenetrable heart must that man

have who could seduce a credulous friend into confidence, merely for the purpose of betraying him! what a sanguinary, unrelenting temper, to seek that man's life! what an unblushing face, that could come forth to view, and meet the eye of society again! Should justice not overtake him in that guise in which he meant to bring her home to Burr—should he be able to conceal any evidences there may be of his guilt, so as to evade public punishment—still he must come to some account and receive part of his meed from the execration and contempt of every virtuous and honourable member of the society in which he lives; and from every honest individual, of any country, who reads this detail.

It would be something if the injustice shewn to Colonel Burr had ended with Wilkinson; but it did not. It was as extensive as the democratic population of the Union. No sooner had sentence been pronounced upon him by the President, who went so far as to endeavour to influence the Jury, particularly Mr. Giles, against him, than all the ministerial prints were filled, day after day, with fabricated stories, fabricated letters, and paragraphs addressed to the passions, in order to poison public opinion and inflame the people against him, so as to preclude him from a fair trial. The federal papers and those persons who from a more just sense of moral duty and decency abstained from abusing him and prejudicating his cause, were denounced as participators in his crime. In every tavern and grog-house he was held up as a traitor---and at every democratic, festive meeting, a wish for sentence of death to be passed upon him

and executed, jumbled up into some quaint form of words, as destitute of wit as replete with villany, and dignified with the name of a toast, was drank by cut-throat democrats. One curious case is selected to stand as an exemplification of the whole.

Not only the most shameless, daring, and murderous attempts that ever were made to invade the jurisdiction of juries and the rights of fair and impartial trial were made in the case of Colonel Burr, but the most wicked attempts also were made to deprive him, of the common lawful benefit of counsel, and as evidences of their blood-thirsty and malignant vindictiveness to those who did their duty in defending him, the names of ZEBULON HOLLINGWORTH, JOHN GILPIN, JAMES SEWELL, and THOMAS W. VEASY will stand elevated on the historical gibbet for ever in the following letter from the generous, resolute and virtuous Luther Martin:

"BALTIMORE, JULY 23d, 1807.

"*Messrs. Zebulon Hollingworth, John Gilpin, James Sewell, Thomas W. Veasy.*

"GENTLEMEN,

"I find from the public papers, that on the 4th of July, you respectively officiated in the respective characters of President, Vice-President, and Secretaries, at a meeting of the citizens of Cœcil county, held at Elkton, to celebrate the anniversary of American independence; and it is as persons who officiated in those characters, and in consequence of your conduct on that occasion, that I now take the liberty of addressing you.

"On the 4th of July, 1776, we declared ourselves independent States, free from the tyranny and despotism of any nation on the earth, and proceeded to establish governments for the sacred security of the property, the reputation, the liberty, and the life of every person, who should be so far blest as to be citizens of those governments. We then pledged ourselves to the God of the universe, that the property, the reputation, the liberty, and the life of every citizen should be safe, should be protected, against the tyranny of the one or the many —and should only be taken from them by the laws of their country, faithfully, honestly, and impartially dispensed, by an open, *fair*, *impartial trial*, *decided upon legal evidence*, in which every benefit to be had from counsel, is secured by the Constitution to the citizen, who is as to either assailed.

"Let me ask you, gentlemen, to what use, or more properly, abuse, did you turn the *anniversary of that day?* Was your conduct calculated to preserve and secure those blessings, for the enjoyment of which the people of America heretofore hazarded all that was dear? Or was it calculated to render them more insecure than even under Asiatic despotism.

"Let me examine this question. I have seen your lists of toasts drank on that day, as published by yourselves.

"On your *volunteers*, I shall make no remarks--- after seventeen bumpers had been drank, I can make great allowances for any thing that took place;

but for the toasts deliberately prepared, and agreed to be drank on that day---myself, my fellow-citizens, and the world at large, do and will hold you answerable. Three of those toasts will be the subject of my animadversions.

" The 7th is in the following words :

" The grand jurors lately impaneled at Richmond, to indict the traitors of their country—may their zeal and patriotism in the cause of liberty, secure them a crown of immortal glory, and the fruits of their labour be a death wound to all conspirators.

" The 8th---Luther Martin, the ex-attorney general of Maryland, the mutual and highly respected friend of a convicted traitor---may his exertions to preserve the Catiline of America, procure him an humble coat of tar, and a plumage of feathers, that will rival in finery all the mummeries of Egypt.

" The 9th---Aaron Burr, the man who once received the confidence of a free people---may his treachery to his country exalt him to the scaffold, and hemp be his escort to the republic of dust and ashes.

" To any person of common sense, who possesses one sentiment of candour, one human feeling of the heart, it would be supposed, that none but demons from hell, could, on such an occasion, have deliberately prepared and drank the foregoing toasts, unless they had the most perfect knowledge of Colonel Burr's guilt. And even in that case, he would naturally conclude the persons to be *so-*

vages or *descendants* of savages, who when they kill their prisoner, feast their inhuman souls with every cruelty of torture.

"But, gentlemen, have you any knowledge that Colonel Burr is guilty of treason, or of any other offence? Doth either of you know of one single fact to prove upon him guilt of any kind? Why have you not come forward and informed your government? And why had I not the pleasure of seeing you as witnesses at Richmond?

"I know your answer. You must confess that you have no personal knowledge of any thing criminal that has been committed by Colonel Burr, but that in the Aurora, the Argus, and many other democratic papers, you have seen him charged with not only misdemeanors, but treason; nay, you will probably say, that the President of the United States, in his message to Congress, declared his *guilt to be placed beyond doubt.*

"And after the length of time you have lived, a length of time which has whitened some of your heads---after the different public appointments which some of you have executed, am I to put you in mind, that not one shilling's worth of your *dirty property* can be taken from you, without your having an opportunity of being personally heard, nor without *legal evidence*, delivered *on oath* in *your presence*, with liberty on your part to *cross-examine* and by other evidence to contradict? And yet you have to the utmost of your power, wantonly and wickedly assailed the good name, fame and reputation of Colonel Burr, upon no evidence! You have

done what is still more wicked---you have without any evidence, *assailed his life !* For, are you now, for the first time, to be instructed, that whenever a person is to be tried for a charge, which is punishable with death, he who endeavours to prejudice and inflame the public mind against him, he who does any act of a tendency to prevent the accused from having a fair, dispassionate, impartial trial, is in the eye of God, guilty of as murderous an intention, as if he attempted to plunge a dagger to his heart? Equally murderous, but *infinitely more cowardly* --as the danger of punishment in the first case is meant to be avoided. What think you, gentlemen, of the cowardly wretch, who, anxious for the blood of an enemy, but fearful of danger or of punishment, slips a stiletto into the hand of an assassin, and points to the victim? What think you of yourselves and the rest of those who drank your savage toasts? Would you not have swallowed the beverage in your glasses, had it been the blood of Colonel Burr, with more pleasure than the juice of the grape? Would not those who could express such savage delight in the *hope of his death*, could they do it with impunity, rip open his breast, tear out his heart, gnaw it with their teeth, and suck down its blood, as acted the blood-thirsty Parisians toward the amiable, the accomplished, the beautiful Lamballe! And know you not that the gentleman, whose death would be such a feast to your savage souls, has a daughter as amiable, as accomplished, as lovely as was Lamballe; and to her you have been drinking a life of unutterable misery? You

may possibly think this language severe, but in a case like this, *no language can be severe.*

"I would wish to harrow up every feeling of your souls, if indeed *such* souls can have any feeling!

"You have toasted the grand jury, when you knew not whether they did right or wrong; when you knew not whether the persons indicted, are traitors or innocent citizens; whether the grand jury were actuated by zeal and patriotism in the cause of liberty, or by zeal and sycophancy in the cause of persecution; whether their conduct deserves a crown of immortal glory, or a noose of immortal infamy; for you have no knowledge that can enable you to decide upon the propriety or impropriety of their conduct. The toast, therefore, only stands staring you in the face, to your eternal dishonour, as a proof of your ferocity against Colonel Burr. Nor, gentlemen, will the grand jury thank you for the toast. They were gentlemen of honour, of worth, of humanity; they were not actuated by the hellish wish, that the persons, concerning whose conduct they were to inquire, should prove to be guilty; nor did they, in returning the bills true, feel an infernal pleasure. No, sirs, not a man of that grand jury assented to the finding of the bills, whose heart will not enjoy an exquisite pleasure should their innocence, on a fair, impartial trial before a petty jury, (if, indeed, such a trial can be had, and which you have murderously endeavoured to prevent,) be made manifest. Not a friend of the gentleman indicted, blames the *grand jury.* But you

are to be informed, that the grand jury can only act upon evidence *selected*, and sent to them for the *very purpose* of proving *guilt ;* examined *ex parte;* and that *perjury* can there appear unappalled ? And are you to be informed, that the benign spirit of our laws, even after indictment, presumes innocence ? Those laws that are said to be our government, which you are bound to support, and yet you, good, virtuous republicans, who boast of your love of liberty, your sacred regard for the laws, and who call yourselves the protectors, the guardians of the rights of every man, have thought proper, not only to *presume guilt*, but have presumed to hold up to the indignation of your country, him whom the laws of your country presume to be innocent!

" And now let me inquire, who is this gentleman whose guilt you have pronounced, and for whose blood your *parched* throats so thirst ? Was he not a few years past adored by you next to your God ? I mean your *earthly God*, for whether you believe in a deity, who has any government over your " *republic of dust and ashes*," I know not. Were you not then his warmest admirers ? Did he not then possess every virtue ? Had he then one sin—even a single weakness of human nature ? He was then in power. He had then influence. You would then have been proud of his notice. One smile from him would have brightened up all your faces—one frown would have lengthened all your visages.

" But he is now a private citizen---he is now no longer in power---he is now persecuted! And,

behold, he is now a Catiline---he is now a traitor. Your prayers are now that he may be exalted to the scaffold---that hemp may be his escort to the "republic of dust and ashes;" and to these invocations you have prostituted the anniversary of a day, which only ought to be held dear as long as the government, consequently established, shall sacredly protect property, reputation, liberty, and life.

"Go, ye holiday, ye sunshine-friends---ye time-servers---ye criers of hosanna to-day, and crucifiers to-morrow, go hide your heads if possible, from the contempt and detestation of every virtuous, every honourable inhabitant of every clime.

"Your eighth toast, as it personally relates to myself, gives me no uneasiness. I only notice it, as proving the accursed malignity of your hearts, towards Colonel Burr.

"As to myself, I have never insulted or injured a single individual, who, on that occasion, celebrated the day. In the whole company I had not a personal enemy, nor was there a man among you that had reason to be so; with many of that company, perhaps with all, I had been personally acquainted. I had been in habits of receiving and returning polite attentions; on some, at least, of the company, I had conferred benefits; nor was there one man in the company, on whom I would not have conferred any benefit he needed, and in my power with propriety to have bestowed. Nay, so well do I know you all, and the good will that you possess for me, that I have the most perfect confidence, had I arrived at Elkton

the moment after you had drank your eighth toast, and entered your room, you would have received me in the most friendly manner; you would have requested me to share in the festival; and your politeness would have induced you to have suppressed your ninth and tenth toasts.

" Having thus done you justice, having acquitted the company to a man of any personal resentment against me, let me state what was *my conduct*, which induced you deliberately to prepare, and deliberately to drink the eighth toast.

" I had appeared as one of Colonel Burr's counsel; and pray doth not the Constitution most sacredly secure to him the benefit of counsel? Can it then be said that a person shall be criminal, or even censurable, for doing what your Constitution authorises him to do? Nay, if by public clamor, counsel is to be intimidated and prevented from appearing for the accused, is not the Constitution thereby violated? And is not the accused thereby deprived of a constitutional right, and if convicted, unconstitutionally convicted?

" But I appeared in his defence as his friend, not merely as an attorney for my fee.—And how long has it been, or upon what maxim is it established, that to do an authorised act, from motives of friendship, is less honourable than from motives of sordid interest?

" But you will say that you believe him guilty of treason. I reply, you have no legal evidence on which you can found this belief. I will further say, that I, who have infinitely better information on

the subject, believe Colonel Burr to be as innocent of any thing treasonable, in act or intent, as the infant unborn; and that I believe the Executive of the United States is at this time of the same opinion—and for the truth of this assertion I appeal to my God. And I further answer, that if Colonel Burr was as guilty of treason as you, without any knowledge of the fact, declare him to be, yet he is entitled to a fair and impartial trial; and the Constitution secures to him the benefit of counsel. You will, perhaps, as your last resort, for in truth you have no other, tell me that at all events you wish him to be hung, and therefore are enraged at every thing which interferes with your wishes. Then, sirs, you ought to proceed in the true French style, for which indeed you appear quite ready---" Hang first, and try afterwards:" it would save a world of trouble, and gratify many a revengeful malignant fiend.

" The whole burthen of my crime is resolved to this—that I have, in a case where the honour, the life of a friend, and the happiness of all who are dear to him, are at stake, had the hardihood, even although it might prevent you from feasting on his blood, to offer to him, from motives of friendship, those services which the trifling abilities my God hath kindly bestowed on me, may enable me to render him. I have thrown my body as a shield between the dagger of the assassin and the heart attempted to be pierced!

And for this conduct, for which, if history records the event, I shall be respected as long as the page of

history shall last, by all the worthy and good—yes, for this conduct, not only innocent, but praiseworthy, if any conduct of man can be so, you, the advocates of the Constitution---you, exclusive republicans---you, the supporters and advocates of the rights of man, and of a government of laws---you, the sworn enemies of despotism, in whatever shape it may appear---would, if in your power, arm an infuriated mob against a private individual who never gave you the slightest cause of complaint---and would be glad to see him, if his life was spared, suffer insult and injury to the last extreme which could be inflicted! Remember, gentlemen, I only hold up to your view the mirror of truth; blame yourselves only for the monstrous images of deformity which meet your vision.

"In your toast you have particularly noticed me as 'the mutual and highly respected friend of an indicted traitor.'

"Remember, gentlemen, a few years only have passed since you boasted of your friendship for Col. Burr. Your tongues, at that time, moved as quickly, and with as much ease, as doth the aspen leaf under the influence of the atmosphere, in his praise; and had I then presumed to have treated his name as you have treated it, I should not have been surprised had I been tarred and feathered---and indeed should have thought that I richly deserved it. He was then your *political* friend---*such he never was to me*---Our friendship has been *personal;* our *politics* have ever been *different.* Think, then, if my heart was such a heart as you possess---that my friendships

were formed from political motives only, and depended entirely upon the situation of the person---whether he was in power, or a private citizen---whether he was the object of executive favouritism or persecution: Cannot you suppose such a heart might be gratified in the extreme, to see that power which *he did bestow*, which *he only could have bestowed*, upon one who now possesses power (a *truth* notorious, and which democracy hath often acknowledged) now exerted for the destruction of him who gave it? Yes, gentlemen, if my heart was like yours, I might perhaps take as savage a pleasure in beholding his execution as it is evident you would take.

"A few words more, before we part. You have shewn to the world a disposition to expose me to an enraged mob---a disposition to see me suffer insult and injury, and what I suppose such beings as you would call *disgrace*. My life, I acknowledge, is in the power of an assassin---it is in the power of an infuriated multitude; but to me that is a consideration which never hath nor ever will influence my conduct. I know that I must die.---To me, who have lived longer than I had a right to expect, the time when it shall take place is not to myself of much consequence; nor do I know that it is so to my country; but there is a number of individuals to whose felicity my life is of importance---for their sake, I would not rashly expose it. As to the manner in which my life shall terminate---whether surrounded by friends, in my bed---whether torn limb from limb by an enraged mob---or whether perjury should "exalt me on the scaffold"---is to me *perfect-*

ly indifferent: my *future existence* will not be thereby affected, nor can I, by the manner of my death, nor by brutal violence in my life, be disgraced. I hold my reputation and my honour on a much surer tenure than the unstable voice of what is commonly called popularity, to obtain which I never sacrificed one feeling of my heart, nor one duty which I owed either to God or to man.

"I AM KNOWN, *and I am respected*, in every State and in every Territory belonging to the United States. I repeat, *I am* RESPECTED---Do you wish to know why? Because my heart is the very reverse of those belonging to my Elkton toasters; because I never intentionally injured a human being; because, instead of increasing the miseries of human life, I would, if possible, render this world a paradise; because my wishes have been proved sincere by my conduct, as far as my fortune and my situation in life have given me power; and because it is known I am *incapable to desert a friend in distress.*

"On the subject of mobs, permit me to assure you, I fear no violence from any combination of American citizens. By that description I mean all those, of whatever clime, who were here when the peace of 1783 took place, and the descendants of all such persons.---My name disclosed, even should my person not be known, would, as to them be a security from violence.

"I now, gentlemen, take my leave of you, most sacredly assuring you, that, as to what relates to myself, I freely forgive you, and that I feel no resentment against you. My indignation hath been ex-

cited and expressed against your conduct, on account of Colonel Burr---on account of its immediate tendency, and your wicked intention, to deprive him, in a case where his honour and his life are at hazard, of that fair, impartial trial, which the Constitution and laws of your country stand pledged to him that he should have; of which pledge, with a sacrilegious hand, you have robbed him. And I have been actuated by a wish to express to the public my detestation of, and as far as in my power put an end to, that infamous, that infernal, that murderous conduct, which has been common in the democratic papers, and too much countenanced in some of the federal papers---to make the press, which ought to be the guardian of liberty, the shield of innocence, and, even as to guilt, the angel of mercy---to make that press the demon of envy, hatred, and revenge---the Moloch of persecution, whenever personal or political enemies were to be hunted down: a practice not only the dishonour and disgrace of this country, but under which no man can be safe: such has been the conduct of printers on a former occasion as to Colonel Burr; such has been the conduct of printers in the case of Selfridge; such has been the conduct of printers in the present case as to Colonel Burr: but you, gentlemen, have the unparalleled guilt, which I hope will never be paralleled, of endeavouring to turn the fourth of July into an *auto de fe* on that day to burn your victims.

"And remember, gentlemen, what is Colonel Burr's case now, may be the case of any one of you hereafter, unless you are protected by your insignifi-

cancy. You may become obnoxious to individual hatred; you may become obnoxious to some future administration; you may be accused of some capital crime. Interest and influence, hatred and malice, may inflame the public mind against you; the celebrators of the fourth of July, may devote you to a halter, before a jury whose minds have been poisoned against you; you may be brought for trial, before a jury that has already prejudged your cause, from the public papers, as you have prejudged the cause of Colonel Burr. Their fiat is to determine whether you die an ignominious death, whether your wives and children shall suffer despair and distraction. In such a situation you will feel the infamy of that conduct of which you have boasted: and you will then know how to appreciate the merits of any gentleman who shall dare to advocate your cause even for the consideration of money, leaving friendship out of the question.

LUTHER MARTIN.

It will be as difficult to reconcile the conduct of the Executive on this occasion with his former opinions and actions, as to reconcile those gross violations of the personal rights of the citizen with the principles of our free constitution, or the deadly blow aimed at Col. Burr with the most ordinary principles of humanity. If a man possessed of common shame, had done so much as Mr. Jefferson had done to foment rebellion in other countries by encouraging rebels, to give a lovely colour to treason by his approbation and support of traitors, to array a people against their law-

ful government, by promising them an asylum, and by tickling them with the no less foolish than malicious balderdash name of "Oppressed Humanity," as Mr. Jefferson has industriously, studiously and impudently done, in the case of those who rebelled against Great Britain, holding out a direct premium on insurrection and treason against the British government, he would from policy be a little moderate in his wrath against the mere symptoms and indications, not reduced to practice, of insurrection and treason at home. If a man possessed of one atom of common feeling were the head of a faction which had raised insurrection against his own lawful government, when it was under one and that its best administration, and as a proof of his approbation of that insurrection had in another administration taken the principal agent in it, to his counsels and his bosom, as Mr. Jefferson did in the case of the western insurrection, taking Mr. Gallatin its secretary and one of its most active instigators into his counsels, and putting him at the head of the Treasury Department, what abandoned assurance must not he have to act as that same Mr. Jefferson did to Col. Burr. If the same man had made the execration of military power in the abstract, and military government, the incessant cry of his whole life;---if in drawing up a paper by which he and the greater part of his countrymen formally renounced the government under which they had been born, he had in set terms criminated that government for having "*affected to render the military independent and superior to the civil power*," (those were the words of the declaration of inde-

pendence, drawn by Mr. Jefferson as he boasts) what punishment would be in justice too great for him, if flagitiously falsifying his own principles, he should himself be guilty of the same abuse of power and cause the civil authorities of his country, its laws and its very judges to be, not *affected to be*, but actually trampled beneath the feet of a ferocious military despotism. This, Mr. Jefferson did by his military agents, and this he in deliberate consideration approved of. That it was done by military force is clear from this, that of all the arrests, imprisonments, banishments and transportations committed by Wilkinson, not one was warranted by a judge, some were rescinded by the civil law, and all of them were condemned by it. It is now past retractation with him; and he is irremediably condemned to the cemetery of defunct names that have died an ignominious death. He has sealed the whole by his scandalous bounty to Wilkinson. That pander of his tyranny basks in his smiles---and wastes the public treasure in the gratification of his sensual appetites, while the intrepid constitutional Judge who endeavoured to resist the torrent of military outrage and stem the tide of corruption, met his reward (such a reward might be expected from a jacobin chief) in persecution. Judge Workman, because he did his duty and would not prostrate justice and the laws at the feet of Wilkinson, was accused of treason, and brought to trial. The prosecutor stated his case and laid all his proofs before the Court and the Jury, who without a word being said in defence of the Judge, acquitted him. Conscious of his inno-

cence he declined saying a syllable in defence or examining a single witness to prove his innocence;---but let his case go to the Jury, on the bare statement of the prosecutor. Here was a fair opportunity for Mr. Jefferson to give a proof of his regard for the Constitution, Liberty, and Laws of his country, and to encourage and reward judicial integrity by preferring Judge Workman to an honourable place on the bench, or elsewhere, suited to his probity and talents. But the advancement of probity and talents makes no part of the care of Mr. Jefferson, unless to serve as decorations for vapouring impotent messages, and for his many other triumphs over the common sense and morals of the people.

Were public justice and public security or either of them the end of Mr. Jefferson?---Assuredly not. If public justice, why is Innes still a Judge? why is Gallatin Secretary of the Treasury? why has Sebastian been spared?---and why has Judge Workman been illegally persecuted away from New-Orleans by Mr. Jefferson's creatures? If public security were his only object, why did he run so hot upon the scent of Col. Burr's blood when the danger was over?---Why was the Chief Justice denounced in Mr. Jefferson's message, the following session to Congress, for uprightly declaring the law, which law threw a shield over the intended victim of democratic policy?---And above all, why was Wilkinson, who stands accused of practices for which, if they could be as well proved as they are believed, he ought assuredly to suffer death, or else something nearly analogous to it, turned over for trial to a *military court*---to a court

whose incompetence to try him was so obvious that the most respectable men refused to obey its summons or appear as witnesses, and grounded their refusal on a denial of its competency. It is to be hoped that the public will, in better days, remember, that the judgment of such a court is a nullity ---that it was incompetent to condemn, and incompetent to acquit; and that General Wilkinson is at this day as much subject to prosecution by the laws, as he was the day before that sham court sate to try him---a mockery of justice, an insult to the common sense of the American people, and a disgrace to the Executive.

Before this subject is concluded, it will be doing no more than justice to the Executive, and the prosecutors in general, to state some of the circumstances which occurred at the trial. Had Mr. Jefferson been desirous of attaining the ends of MERE JUSTICE; (for it cannot be expected that the democratic magistrate of a free "rights of man" government would stoop to adopt the monarchial principle contained in the oath of the king of England, to execute JUSTICE IN MERCY;) had mere JUSTICE even, without the admixture of mercy been his object, he would (of course all his creatures would have followed him) have barely handed Colonel Burr over to the law, without any comment or attempt to gloss over or to aggravate his supposed offence. Knowing the weight of his opinion with the public, he would have given none. Knowing the effect of his influence, he would have ab-

stained from uttering a wish. Whatever he might have thought, he would have taken care that his notions should not do mischief or "break into the bloody "house of life." If he be not worse than the average of his kind he would say to himself, "The de- "mands of justice once satisfied, I have no more to "do with it.---If Colonel Burr be condemned, the "fault is his guilt, not mine---if he be acquitted, "no matter whether he be guilty or not---the law is "satisfied, and why should not I?" But if on making the charge, he disclosed a wish to see the man condemned, and by a malignant anticipation, to snatch him out of the hands of the law---to pass sentence upon him himself---then justice could not be his object---And if not justice what else? God knows---yes, God does know!!!

Be his motives what they might, his earnestness and zeal were excessive, even to indecency. He wrote a letter to Mr. Giles whom he knew to be summoned as a juror on the trial, in which he pledged to him his assurance that Colonel Burr was guilty. This would never have come to light had Giles known the great criminality of the act. But not being as well learned in the good old laws of the good times and nations, as in the code of France and the cant of the Rights of Man, he thought there was no harm in prejudicating a man to be tried for life or death, upon the mere saying of another, and inconsiderately disclosed that he had got such a letter, declared that he was *convinced* by Mr. Jefferson's assertion in it that the charges against Burr were founded in truth, or (to use the words of Mr.

Jefferson's own message) that Burr's guilt was placed beyond question. This being fortunately related to Colonel Burr, he challenged Mr. Giles, and offered to prove the facts. Every impartial man present was struck with horror.---The Jeffersonians frowned; but were not abashed---Giles, himself, was confused.

The wisdom, the knowledge, and the inflexible integrity of the Chief Justice in declaring the law, and the impartiality of the jury, overcame all the efforts of the prosecutors, whose intentions, as the trial advanced, became more and more transparent. Notwithstanding the abominable attempts made in the democratic prints to influence the public opinion, and bias it in favour of the prosecution, the evidence of the witnesses was heard dispassionately and treated as it deserved. The testimony of Wilkinson was regarded at last with contempt, or worse. A young man from the State of Tennessee having been induced either by menaces or by money, or by some of those wily stratagems which are ever ready at the hands of the wicked, to make a false affidavit, the purport of which was to prove the guilt of Colonel Burr, in order to justify Wilkinson in his unlawful arrest of him, being sifted on his examination as a witness on the trial before the Chief Justice, contradicted point-blank his own affidavit, in every material circumstance it contained. Horror-struck at the wickedness displayed, (not so much by him as by the villains who suborned him,) Judge Marshall silenced the unhappy man, and by way of warning to him and others, said to him,

"Never open your mouth again in a court of jus-
"tice." What honest man can restrain his indignation at the prosecution when he reads the sequel? What heart informed by the common spirit of humanity but must be shocked. The unfortunate young fellow overwhelmed with shame and remorse and maddened with despair, put an end to his life with laudanum.

The only persons besides who were called upon to substantiate the charge, were two very ignorant and illiterate men. The only overt-act charged was Colonel Burr's resisting the civil authority---that is to say, resisting General Tupper, who was stated to be a Justice of Peace, and who commanded a body of militia, sent to arrest the Colonel's body. The testimony of the two fellows was contradicted by a cloud of witnesses---And General Tupper himself denied his having ever been a Justice of the Peace.

It were to be wished that the other parts of Mr. Jefferson's conduct through life would bear us out in the hypothesis that possibly all this furious zeal in the prosecution of Colonel Burr, all this anxiety for his condemnation, and all that indignation was founded in genuine virtue. Such things have been. There have been instances of the most benevolent men being so affected upon occasion of those whom they thought highly and dangerously criminal escaping punishment. But such men were, as virtuous men always are, consistent, and felt and acted strictly upon the same principle, whatever the relation might be in which the object of it stood to them. To the

man who has two sets of principles by which he judges of the same crime in different persons, and adjusts them not to the quality of the crime, but to the relation which the accused bears to him, it would be folly to attribute virtue, or to ascribe his motives to benevolence. The author of this knows Mr. Jefferson's heart from his own words, and speaks by the card. What man ever uttered more frothy grief, or warmer indignation against the British government when Theobald Wolfe Tone and Napper Tandy, both taken in arms accompanying a French army and with French commissions in their pockets, invading the country, were condemned to die. If he could not apply the same feeling to Burr, his conduct was not that of a virtuous man. He either played the mischievous hypocrite in one case, or the inhuman tyrant in the other.

And now having done with this base and disgusting action, it may not be amiss to say a few words upon the point of consideration stated in the conclusion of it, namely, the overheated zeal with which men suffer themselves to be animated in the cases of criminals brought before the public tribunal for trial. It is an error against which all men should take care to guard themselves, since the judicial decisions upon our offending fellow-creatures are, or ought to be, matters of right and reason, and not of passion or feeling. It is lamentable to think too, that good men are liable to be betrayed into it by the ardour of their feelings. It was upon an occasion of the kind, when a man whose very name is synonymous with private benevolence

and public virtue, too warmly expressed his indignation at the acquittal of certain notorious traitors in England, that one of the greatest moral and political philosophers now living, delivered the following admirable sentiments, which ought to be written in letters of gold.

"Whoever feels an impatience of the calm and impartial judgment of that mind without passion, as Aristotle with so much philosophy and beauty calls law, may be assured that, however he may disguise it from himself, he has already harboured a secret rising wish to free his resentment from the incumbrances and fetters of the laws. These nascent wishes are the germs of tyranny, the embryos of future persecutions. In the course of human affairs, and particularly in seasons of convulsion and tempest, their growth is too much favoured by circumstances. They may be stimulated by fear, nourished by ambition, provoked by resistance, inflamed by contest, fostered by opportunity, and unfolded by power. The indignation even of virtue may slide slowly and imperceptibly from justice to severity, from severity to rigour, and from rigour to cruelty. The great danger to a virtuous man, arises from the excess of his virtuous propensities themselves. It is his duty to preserve, with the most religious care, a just balance among all the natural sentiments and moral principles of his character, and to watch with the utmost vigilance the first appearance of any excess, in any single principle or passion. He must never forget the maxim of ancient wisdom---

"Omnes virtutes mediocritate quadam esse moderatas."

(Cicero, pro Muræna.)

If he abandon himself to the guidance of any single principle, it matters not whether it be a zeal for the glory of God, or for the salvation of men; for the quiet of society, or for the establishment of liberty; for Popery or Calvinism; for monarchy or democracy; it is sure equally to drown the voice of reason, to silence the feelings of nature, to dishonour his own character, and (if he be armed with power) to vex and scourge the human race. There is one degree of enthusiasm, without which no great work was ever produced, and no glorious action performed. There is also another and a greater degree of it, which does not recoil from the perpetration of any crime, however atrocious, and is not appalled by the prospect of producing any misery, however extensive. So slippery and precarious is the condition of human virtue, and so unceasing is the vigilance which we are bound to exercise over our best passions, lest they should degenerate into the worst! There is certainly no principle which, in its proper place and due strength, is more virtuous, honourable and praiseworthy, than a zeal for preserving the peace and order of a community: yet this very principle, in its unbounded indulgence and extravagant excess, has been one main cause of most of the persecutions that have disgraced the history of mankind."

The last important act of the administration of Mr. Jefferson was one which, for the extent of its effects, the policy that dictated it, and the causes which gave it birth, deserves perhaps more particular notice than any other for which he stands responsible. From the

facts that have been detailed in the foregoing pages, it is evident that the councils of this country had for several years been influenced by France. That an unjust partiality for that country, or rather for the principles belonging to it, indulged to excess by our democratic rulers, had involved this country in contests with Great Britain, and at the same time in abject humiliation to its adversary, both in a high, though not equal degree disgraceful. It has been shewn that while the most gross insults and injuries offered to this country by France were tamely endured, every expedient imaginable was resorted to, in order to provoke Great Britain to declare war against us; and that the mandates of Napoleon, however unreasonable—even to the extortion of tribute from us—were continually obeyed, provided they were advanced in so private a manner that they were not exposed to the public eye till the compliance divulged it, and the concession of our cabinet was put past retractation. Facts to support those inferences are thickly scattered through these volumes---but many more remain yet to be related; indeed, so many, that to particularize them all, would swell the bulk of this history far beyond the limits of correctness. To the reader, as well as to the writer, it must be irksome to travel through a series of facts which, with few exceptions, disgrace their common nature. To enlarge the catalogue beyond the measure strictly necessary for the investigation of truth and the elucidation of the views and characters of the parties concerned, would be to make election of evil, and betray a disposition to make an unnecessary exposure of the infirmities or

the baseness which dishonour the human heart. From the cloud of circumstances of this nature which pollute the democratic administration of this country, therefore, such only shall be selected as will serve to cast a light upon the measure with which this history is to be concluded.

There was a time when the historian and author, of every class, was exempted by general consent from the task of proving acknowledged truths; but since the submersion of all moral principle in the torrent of the new philosophy, truths, however demonstrable, are denied, and the most manifest facts are often called in question. If it were not for this, one might be ashamed of premising that the world has for some years past been menaced with the most slavish subjugation by the ambition of a man, an unprincipled adventurer, who has had the address to convert a country of thirty millions of people into an armed nation, or rather one disciplined army, and to make it instrumental to his plan of universal empire. That, in consequence of the fears of some, and the corruption of others, almost the whole of the continent of Europe has passed, nation after nation, under that conqueror's yoke; that in not one single instance has he failed to deceive and effect the ruin of those nations who have confided in his promises, or allied themselves to him in friendship; that wherever he has subdued a nation by force of arms, or subjugated it by fraud, treachery or corruption, he has exercised a tyranny over its people unexampled in the history of the world, plundering them in every class, com-

pelling them under the penalty of death to the most wretched slavery of mind and person, and galling them not only with the most impoverishing exactions, but with a yoke of subserviency that reduced their condition to a degree little superior to that of the brute creation. And particularly that after having by the most atrocious frauds and false pretences, and by the corruption of a state villain, a traitor and a minister, deluded the king of Spain into an alliance, by means of which he drew the wealth of the richest part of the earth into his coffers, he, not content with that, or with any thing but absolute, despotic dominion over the whole kingdom, and its king too, and fraudulently, under guise of friendship, entrapped that monarch's person into his possession---compelled him to assign over his crown to him, and carried fire and sword among the inhabitants of the country, because they would not, at his requisition, give up their lawful monarch and accept an upstart usurper to rule them in his place. All this is before the eyes of the world---it is also before the world, that that continental nation alone escaped subjugation beneath his power, which resolutely refused his alliance. Sweden is yet independent, because its monarch was wise and virtuous enough to hold the tyrant at a distance, and spirited enough to resent the disgrace of being offered a post in his legion of honour. The tyrant here described is the very man who it is to be seriously feared, is at this moment playing a game with certain persons in America, which will soon checkmate her independence into his hands, and make him master of her destinies forever.

Against this torrent of oppression Great Britain has for years stood the bulwark of the yet unsubjugated nations; and therefore against Great Britain the whole of that tyrant's force and arts are directed. His attacks upon and overthrow of other nations have been but preliminary movements to that great object. She is the chief fortress; the others but outworks, which he purposed to carry by detail, in order to insure the conquest of her. Imagining that her commerce was her life-blood, and that if it could be destroyed she must fall, the use he made of his influence or his power over the nations of Europe, was to shut out from every port the commerce of Britain, and to destroy that ægis of a world's independence, the maritime power of that empire. By his corruption of the cabinets of Europe he so far secured the concurrence of their monarchs with these schemes, that a confederacy was formed to accomplish that purpose of ruin to themselves. The devastator and robber of the earth denounced Britain as "the tyrant "of the ocean," his creatures every where re-echoed the cant---and the abused people and the betrayed sovereigns of Europe were cheated into the suicidal act of sanctioning the deed that was to work their own destruction with the name of an act of virtue, or in other words, to call that "the tyranny of the "ocean" which was their own last refuge from Bonaparte; and then to destroy it because it was so misnamed.

In this work of ruin and abomination, he was most cordially supported by the democracy of America---for so close is the relation of democracy to despo-

tism, that they naturally fly to each other's arms on every occasion, and the colossal, unrelenting, *practical* despot of the earth found his most zealous adherents in the assertors of American liberty against the *abstract* tyranny of Great Britain; in the composer of the renowned Declaration of American Independence, and in Mr. Jefferson's bosom friend, the author of the "Rights of Man." Conformably to the dictates of this honest principle, Mr. Jefferson has unremittingly employed all his power and influence, sometimes openly and sometimes clandestinely, to harass Great Britain, and has stooped to concessions and submissions to France the most injurious and disgraceful to this country, in order to aid, to gratify and to humour that tyrant, and to advance him in his march to universal empire. This it was which urged the democratic President to hold out his hand and give encouragement to all the malcontent rebellious subjects of Great Britain---this it was which made him shelter under the national flag of the Union all deserters from the British navy---this it was which made him deny the right of search, and set his face against the law which he had himself before laid down and agreed upon in his correspondence, as Secretary of State, with the French ambassador, viz. that "free vessels did not make free goods"---and this it was which has dictated all the unjust and insulting measures, and that shameful alternative of implied menace and affected friendship, of treacherous hostility and specious neutrality, which have distinguished his conduct to Great Britain.

That American can possess but very little candour who, on tracing this republic through its public policy, and combining its acts with the general feelings of the party who rule the Union, will not own that under the name of a neutral power, the United States have been the secret enemy of Great Britain, and have betrayed it in many instances to an extent far beyond the just limits of a sincere and honest neutrality. The preceding pages of this history are filled with proofs of a rancorous hatred to that country on the part of those very men whose influence has been so perfect as to bend this country to what measures they pleased. From the men who govern and guide the people it is that in such governments as this, prognostics are to be taken of the temper and disposition of the whole people. Ever since the present rulers of America came into power, their conduct has been such as to render impossible for the British government to conceal it from themselves, if they wished it, that England had an enemy and France a friend upon principle, in the government of the United States. The main body of the party consisting of deluded, ignorant men, led astray and prejudiced partly by the ancient grudge of the revolutionary war, but much more by the active exertions of French agents, democratic clubs, and ambitious, jacobin demagogues, and influenced and instigated to malignant, political enthusiasm by a too copious admixture of French jacobins, spies and agents, and furious, United Irishmen, who form in the very bosom of the country an immense majority of physical force and political influence, not one atom less hostile in heart,

and still more abhorrent of Britain than the people of France themselves. Through the whole country, the most inveterate animosities to Great Britain have prevailed and been encouraged---nor was this disposition in the majority in the least counteracted by an opposite feeling in the minority, who generally conceived that they did enough in abstaining from positive injustice to her and partiality to her adversary. The British cabinet not only well understood this, but knew that those hostile sentiments were nourished and inflamed by Mr. Jefferson and his partisans to such an extreme, that hatred to England became the test of American patriotism. Had these feelings been buried in the secrecy of the bosom, and only acted as an unseen spring of conduct, they would not perhaps offer a legitimate subject of historical reprobation; but with an indecency of which none but men lost to all sense of shame as well as of justice could be capable, they were openly avowed in their public prints, and sent abroad in those common vehicles of jacobin malice, toasts---nay, poured forth in the speeches of persons disgracing the name of legislator, in Congress; insomuch, that it would be hard to find a term of abuse, reproach or vulgar invective, which has not found its way through those channels upon the people, the country, the laws, the government, the lords, the commons, and above all, the king of Great Britain. The malignity of the lower class of clubbists---their toasts, as diabolical as stupidity and ignorance could be responsible for---their jacobinic speeches, and their cut-throat resolves, are no more deserving of notice than the screaming and

grunting of a hog-stye, except (and therefore only are they adverted to) as a symptom of the general delusion practised upon the community. But when the same base dispositions are disclosed by men of knowledge, power and influence, they possess a degree of importance too great in the eye of truth and justice to be omitted by an impartial historian in balancing the mutual complaints of the two nations; and as if their own Constitution gave them a despotism of opinion over all other countries, and a *carte-blanche* privilege to billingsgate all other governments but that of France, there were few topics that Congress suffered particular members more to indulge in than insolence to Great Britain and her government. Even when, under her *free republic*, the tyranny of France was so complete that the parent dared not yield protection to the child, nor the child to the parent, without the license of an under-despot; when man (malgre all his rights as established by Mr. Paine) possessed nothing, and his property belonged "to the nation" who held his labour, his life, and his wretched carcass in requisition; and when, if he dared to complain, he was dragged to a tribunal where suspicion alone convicted him to death;---even then those very persons who were so intolerant of tyranny that they could not advert to Great Britain without pouring out a prayer for the fall of her government, accompanied with a torrent of billingsgate---even then, that wise, and learned, and virtuous Virginian, Mr. Parker, panegyrized the French as a free and enlightened people, contrasted them with the stupid slaves of Britain, and piously prayed that kings and king-craft might be annihila-

ted; and the sovereign of a country, with which we were at peace and in amity, was every week coupled, in the great Legislature of this nation, with the names of tyrant, despot, and many other terms of no less indecent import. While Great Britain was thus treated by the partisans of Mr. Jefferson in Congress, she was incessantly reviled by his venal mercenaries of the press in all the papers that advocated and were patronized by him and his creatures in office. Hostility to Britain was the best recommendation to the favour of Mr. Jefferson, and his next creature, Mr. Madison. The most honourable testimonial in their eyes was a certificate of treason, or a sentence of transportation for insurrection against Great Britain. Had a fugitive the means of shewing that he had excited sedition in the British dominions, he immediately ascended three or four steps in the ranks of that gentleman's attachment. Had he been actually guilty of treason or rebellion, and particularly had he boldly adventured an attempt upon his Britannic Majesty's life, he got at once to the top of the ladder. There is one instance in which this comes to signal proof. While it has astonished the Union to see a man of a character more ignominious than any other that ever sought refuge from the gibbet in this country, honoured and advanced in so extravagant a measure of disproportion as to outrage all credibility, and being no less ignominious for cowardice than for every other disgraceful quality, raised to a high and commanding rank in the army, it cannot fail to be matter of curious speculation to the ministers of his Britannic Majesty to reflect that the greatest, if not

only recommendations which that man possessed to introduce him to such distinguished favour and disproportioned honours was his being an active member of the mob-meeting that attempted the act of regicide in St. James's Park, and the open, venal scribbler of Bonaparte in America.---How deservedly he stands high, upon those principles, in the favour of Mr. Jefferson, and merits the rank of Colonel, the following production of his, if there were no other, will demonstrate.

"As for Britain we have this consola-
" tion---If the American tomahawk does
" not break her skull, the French bayonet
" will pierce her heart, and the vultures
" feast upon her fallen carcasses. I am
" grateful to Heaven for the present mis-
" understanding between the two coun-
" tries."

It will be no overstrained inference for Great Britain to draw from the preceding facts that the writer of that most infamous passage, utters the language of Mr. Jefferson, and that such is the real wish of Mr. Jefferson. It may be said that the press is free---and deplorable would be the state of the country if Mr. Jefferson had it in his power to controul it. But this is a different thing---It is of his patronizing and encouraging, not of his neglecting to prevent them that there is such cause to complain, on the part of the country which now undergoes all the disgrace and misery, and may eventually undergo evils not yet to be imagined from the active wicked-

ness and traitorous designs of her own most ungrateful children whether by birth or by adoption.

That all this should be done without the knowledge of Mr. Jefferson is next to impossible. His concurrence in it is not rendered at all unlikely by the whole of his own demeanor to Great Britain.---In perfect congruity with the schemes of France his eyes have been all along ardently directed to the disruption of Ireland from Great Britain, and so far as his miserable means could be made to extend, he has brought them to bear upon that object. Nor has his desires in this instance been very skilfully concealed---they are obvious to a single glance.---His conduct cannot borrow sufficient concealment from his hypocrisy. He has been lately seen urging with more than the appetite of a hungry wolf, the prosecution of Colonel Burr, and losing all patience at his acquittal of a charge of treason in endeavouring to sever the miserable states beyond the mountains from the Union. That way he would have rebellion in his own country treated. Now, mark how that agrees with his own desires respecting Great Britain. Mr. Jefferson at a large meeting composed of Jacobins like himself, at Charlottesville, being then Vice-President of the United States, gave the following toast:

"IRELAND---*May she soon burst her fetters and take her rank among the free republics of the earth !!!*"

Those who support Mr. Jefferson now, are pledged to the same principles and are only so much less noxious than himself, as ignorance or want of

means may render them.---But all rational men now, and posterity hereafter will own that such an open avowal on the part of the second magistrate in the Union, of a wish to see the dismemberment of an empire with which all of us were connected by ties of interest and treaties of amity, had a direct tendency to rouse the indignation of that empire, and to make its government our implacable foe. Mr. Jefferson is not likely, however, to enter sincerely into the feelings of any other man, or nation.---But let him think the case his own, and let us imagine how he would take it !---Suppose that Colonel Burr, of persecuted memory, when he was suspected of being engaged in the rebellion laid to his charge, had actually been at work putting his imputed plan of severing the Western Country from these States, into execution, and, suppose that hearing of his purpose Mr. Canning, at a political dinner, had publicly given this toast: "THE STATES ON THE WESTERN SIDE OF THE ALLEGHANY MOUNTAINS."---*May they soon burst their fetters and take their rank as an independent monarchy !*—What would Mr. Jefferson think ?---what must any honest American think, every Englishman think of Mr. Canning ?---why they must think, and what worse could they think of him ?---that he was, so far, as bad as Mr. Jefferson.

But all this was trifling to the partial conduct observed by Mr. Jefferson between France and England---Conduct at once dangerous as it respected France, unjust and injurious to England, and most abominably disgraceful to the United States.

Under various pretences, both countries committed depredations on our commerce. Upon those committed by France, the faction was silent, but they made up for that abstinence by declaiming against the aggressions of England. At length the Secretary of State was ordered to make a report upon the subject. He did so---and it is of moment to state that the Secretary who did so was Ed. Randolph, of whom mention has been made in Fauchet's intercepted dispatches.---He was little inferior to Mr. Jefferson in zeal for France---and yet he reported that the aggressions of France were worse than those of England, not only in the numbers and value of captures but in the nature of the wrong;—the number and value was double, and aggressions by France were so much the more exasperating and indefensible, as they were made in direct violation of a solemn contract voluntarily entered into by France with America, whereas Great Britain was under no obligation of treaty or amity with the United States. Besides, Great Britain in those cases which were substantially exceptionable made ample attonement, by declaring that her orders had been misunderstood by her officers, and full restitution, by paying the full value of all the cargoes and vessels she captured.—But the French could plead no such excuse. In their captures there was no misconstruction of orders---their spoliations were not committed under any ambiguous instructions but were warranted by a public decree of their Assembly---a decree which they proclaimed, and impudently avowed in this country, and then insulted the people by insisting that it was occasioned by

the misconduct of their own Executive. In a word the French uniformly braved, defied, and scoffed at the country---trampled upon our laws, and violated our independence. Yet not one word about resistance dare Mr. Jefferson utter; or if, to keep up appearances, a feeble effort was made to get satisfaction, it was done in such a crawling way as to produce only contempt, defiance, and derision. Even out of cowardly accommodation to France all the wrongs and insults offered us by Spain on the Mississippi were borne. But quite otherwise was it with respect to Great Britain, whose whole aggressions would not amount to that one already alluded to of interfering between us and our affairs with Spain, as taken from the confession of Mr. Madison himself to Mr. Randolph. "*France will not permit* "*Spain to settle her differences with the United* "*States except money be paid.---She wants money,* "*and we must give it to her or prepare to go to war.*" Had Great Britain demanded money with such a menace what would Mr. Jefferson and his partisans do?---why, truly, inflame the public spirit to indignation near to madness and join France in the war.--- What did he do when France demanded it? why, paid it covertly, after obtaining the money in a secret sitting with closed doors, justly ashamed to own his cowardly acquiescence. All this was well known to Great Britain---Yet she did not so far lose her temper as to notice it.

One of the most barefaced wrongs of which Great Britain had to complain, was the sheltering of deserters from her navy. On this point there

was the most perfect coöperation between Mr. Jefferson, his officers, and the lowest creatures of the French faction. In searching American vessels by British men of war for their deserters, acts of violence were sometimes committed which gave offence to the American people, and gave too plausible a pretext for the Executive, eager as he was for a rupture with Great Britain, to break out into strong expressions of resentment. The general impracticability of distinguishing Americans from Britons produced difficulties upon this subject, to surmount which every scheme of general regulation that was devised was found inadequate. This was a pregnant source of complaint on the part of the American government, and to this day remains unsettled.

Another was the carrying trade---or right of carrying home to France and Spain under our neutral flag, the produce of their countries. This right, for some time exercised in this country, was at last considered by Great Britain an evil to her of such fatal tendency as she could not without hazarding her existence, tolerate. In all former wars with France and Spain, the capture of their colonial produce on its way home, and the stopping up by that means their most affluent channels of revenue, was the principal counter-balance in her favour against the vast power of the enemy, and it was in this most vulnerable point that Great Britain always attacked them with success. Under the impulse of that enterprising spirit which distinguishes them, the American merchants and shipowners had turned to the best advantage the op-

portunities which the war between Great Britain and France afforded of enriching the country by becoming the carriers of a great share of the European commerce under the protection of their neutral flag, and gradually introduced themselves into ports and channels of trade from which they had been ever before interdicted. It became of course the most judicious policy in the cabinet of France, which now guided and held in subordination and vassalage that of Spain, to open their colonial ports to the Americans, and make use of that and other neutral flags for the conveyance in safety of their produce to Europe. Though the President of the United States for the time being (Mr. Jefferson) had, when Secretary of State, maintained that the goods of an enemy in friendly bottoms, were lawful prize, he now maintained strenuously the right of the American flag to cover the colonial produce of one belligerent from the other, not directly as such, but under colour of a fiction, that is to say, of a feigned ownership of the cargo in the American. A multitude of discussions and negotiations were entered into by the ministers on both sides; but ended in nothing determinate.

The general blockade, of the colonies of France and Spain by Great Britain diminishing the value of the contested object, abated the ardour of resentment and the earnessness of complaint---when on the 21st day of November, in the year 1806, Napoleon issued his mandate, declaring the British islands in a state of blockade. The illegality of this act, as the law of nations is understood,

as well as its utter absurdity, were obvious upon the face of it; since not only Bonaparte had not a squadron sufficient to blockade any one port, but had all his own ports at the very time blockaded by British ships, so that no vessel could go in or out but by stealth. His decree, therefore, was in the true spirit of its operation, not at all what it was called, an act of blockade, but a kind of diplomatic mandate publicly given to all nations to abstain from carrying on commerce, or holding intercourse with the British isles. The right of blockade, is a right derived from local physical power, and only coördinate with that power to enforce it. The idea of blockading ports therefore without the physical force to prevent egress and regress from that port is as absurd and preposterous, as would be that of beating an army of an hundred thousand men by issuing a decree, and claiming a victory over them, without a company of soldiers to enforce it. The truth is that it was a decree not of blockade, but of confiscation: and Napoleon knew he had means of enforcing that to some extent. In the bosoms of the neutral countries lay his force---and their cabinet troops were to him what the tough arms of the tars of Great Britain are to George the third. The policy of this decree was worthy of Napoleon, and the manner in which it was received by our cabinet was worthy of Mr. Jefferson and his *aide*, Mr. Madison. The crafty tyrant of France had received constant intelligence of the progress of the negotiation then on the tapis between Mr. Munroe and Mr. Pinckney on the part of America and the

British minister in London; and persuaded that the terms which the former had offered to the latter were of a kind too reasonable to be rejected by Mr. Jefferson without risk of the public displeasure of the Union, he resolved upon this expedient to intercept it, very justly calculating upon the alternative either of provoking Great Britain to retaliation, which would directly violate the treaty, or of carrying into full effect without any counter-stroke from Great Britain, his illegal, unjust, and unexampled decree. For as to any resistance, or even resentment, from the cabinet of America, he just as much expected his favourite spaniel to bite him, or his grey poney to kick out his brains.

At that very time a treaty had been agreed upon by the American and British ministers at Saint James's. Neither of the American envoys had ever been suspected of partiality to England---one of them was universally known to be so hostile to her, that it was imagined by candid men, the appointing him to that Court would be considered as an intended insult. Yet both those ministers were persuaded that the treaty was very advantageous to America; exulted in their success, and even now continue to retain the same opinion of it; and they openly testified the sincere disposition manifested by the ministry of his Britannic majesty to preserve an amicable intercourse with America. The decree of Bonaparte, however, rendered it necessary to make some provisionary conditions, which, after the signing of the treaty, the British minister added in a note; from which it was

pretty apparent that he conceived it to be very unlikely the American government would submit to be the object of the unlimited and illegal spoliation threatened by the French decree of the 21st November, 1806. For that note stipulated, that nothing contained in the treaty was to be construed into a contravention of the right of his Britannic majesty to retaliate upon the French decree in the case of any neutral that should submit to it. Mr. Jefferson felt and acted upon the occasion just as Napoleon wished him to do, and as Washington neither would nor dared to have done. He disdainfully rejected the treaty, not even condescending to let the Senate have a glance at it; though he had just before stated to Congress that " all the points in dispute were satis- " factorily adjusted."

Through the whole of this business, the views of the parties are as transparent as glass. France, without the power to blockade even one port of Great Britain, was by the mere mandate of its despotic master—(*the master of more than France*)—to shut out Britain from all intercourse with America, and this was assented to by the American government; while on the other hand, Britain, with the whole naval power of the earth in her hands, and holding, *bona fide*, with her ships of war (not with paper mandates) every port of France in blockade, must not presume to interrupt the intercourse between that country and America. Thus it appears that if Mr. Jefferson had been permitted to exercise his will, the navy of England would be of no more use than his own gunboats, against the enemy—and like them, would turn

its guns only upon those who purchased them for their protection. The IMPARTIAL FRIENDSHIP to France, and the LEAGUED NEUTRALITY of the American government, if not detected and counteracted, would have been more fatal to England and serviceable to the *honest* cause of Napoleon, than one thousand sail of the line, manned by Frenchmen. The purposes of Mr. Jefferson were all along well known to the British government. The evidence of his intentions was, too clearly to be misunderstood, decyphered in his conduct: for all this time the party which acted under his influence and controul were industriously employed in fomenting public animosity against England: But with a moderation, wisdom and magnanimity worthy of a nation engaged in the defence and support of the independence of the world, the private designs of Mr. Jefferson and Mr. Madison were tossed under the table; the official professions of the nation's legal organ alone were attended to, and as these were generally very fair, and specious, and smooth, on the surface, they were treated with becoming delicacy. The bait was surveyed, smelled, turned over---but suspected, and therefore not swallowed.

It was astonishing to see the contented ignorance displayed by the greater part of the American people on this occasion. By Napoleon's decree, all the laws, by which nations had hitherto willingly submitted to be bound, were violated. Not only all British property under neutral flags, but all neutral property, if the manufacture or produce of Great Britain or her dependencies, were declared prize, and were actually

seized, and in every instance confiscated. Nor, nationally considered, was the act of plunder more injurious than the contempt displayed for America and the abusive treatment of her citizens when taken. The American ambassador at Paris, (Mr. Armstrong,) instructed no doubt for the purpose of keeping up appearances at home, applied by letter to the Procureur General Regnier to resolve the question, whether upon a new and unexpected extension of the decree, it would be put in execution to that extent against America. To which Regnier gave for answer the following words: "His majesty notifies it "to me, that since he has not thought proper to ex- "press any exception in his decree, there is no ground "to make any in the execution." From this concise correspondence two inferences, of an afflicting nature to every genuine American, are fairly deducible. One, that our government had submitted without murmuring to the French decree in its original extent, and disclosed its disrelish to it, even in that feeble request of an exposition, not till its mischievousness was extended. The second is, that Napoleon held the American government in such contempt, that in his answer through Regnier, he disdained to soften the rigour of his decree by an assertion of its necessity, but boldly declared that he would continue to injure, because he had once said that he would do it. Still more insulting and contemptuous was the answer of Regnier to the question of Mr. Armstrong, "whether French armed vessels "might possess themselves of neutral vessels going to "or coming from England, although they should have

" no English merchandize on board?" "His majesty " (replied Regnier) has not decided that question." All this passed the latter end of September, 1808, about eight months after the commerce of America had been subjected to the plundering decree of Napoleon. But the cup of disgrace had not been sufficiently poured down the throat of America---nor did her chief yet seem to think it contained a drop too much for her stomach. On the 17th December, 1807, Napoleon being then at Milan, published his decree so celebrated for villany, and called ever since the Milan decree; by which every ship, of whatever nation, that submitted to be searched by any vessel belonging to England, or that had paid any tax whatever to the British government, was thereby, and for that alone, declared to be " *denationalized, and to have* " *forfeited the protection of its government*, and to " have become English property." Never has there been a nation on the earth placed in a more disgraceful attitude of base and cowardly submission than this republic of brave and free men was placed by its government, the day that the decree of Milan passed the ordeal of its public councils, unrepelled and unresented. Nor was the decree suffered to remain a dead letter; nor was the malignity of its design tempered by lenity in its execution. On the contrary, the rigour with which it was executed outran all that could be apprehended from the literal construction of the order; and the captors of our vessels under it seemed to emulate each other as candidates for the Corsican's favour, by carrying the dictates of his injustice and malevolence into effect

with infinite aggravation. Our ships were taken, and without being suffered to go into port, or to receive even the mockery or formality of a trial, were plundered at sea by Napoleon's frigates, and, the crews being taken out, were set fire to and burned. Had it pleased the Corsican to will the burning of the crews too, there is reason to believe that it would have had as little effect in rousing the indignation of our brave and honest patriots of the Executive, as the decree itself had; and in all probability would have been laid to the blame of Great Britain. However, the unfortunate men were permitted to escape, for which purpose the captors (very generously and humanely no doubt, considering who and what they were) spared from the flames one of the ships, after having taken from it every thing that was not absolutely necessary to its keeping above water.

It was natural to imagine that the President of this mighty republic would now throw off his patience, and expostulate with his master of the legion of honour, upon the impolicy of such useless insult, cruelty and wrong. It was thought that he might have contrived to whisper in his ear through the medium of his representative, or through the French ambassador here, a word or two of caution. Imagination follows the worthy minister of the valiant Chief Magistrate of our vast and mighty republic, (Mr. Coles for instance,) sneaking after the right reverend apostate Bishop of Autun, and "bending "lowly in a bondman's key," supplicating consideration in these or such like words: "Great Sir! may "it please you to suggest to his majesty, the Empe-

" ror and King, and in the name of his humble friend " the President, my master, to implore him, if not " for the American republic---if not for justice---if " not for common humanity to that patient people " who, so far from deserving rigorous treatment from " his majesty, have for some years been made the " drudges of his policy---the burthen-bearers of his " will---the hewers of his wood and the drawers of " his water, at least for policy, and to save appear- " ances, to abstain from PROCEDURES, the wanton " barbarity of which may alarm the Union to a sus- " picion of the true relation subsisting between the " two cabinets, and afford a fair occasion to those who " call themselves original guardians of the republic, " (the federalists,) to expose that partial zeal for the " interests and views of his majesty, the Emperor " and King, which it is the private glory, the boast " and the pride of the President, my master, to en- " tertain."—But no—even this was language too daring for the elected Chief Magistrate of America; who, not content with patiently submitting to the outrages of the Corsican, called in falsehood and sophistry to the aid of Napoleon's cause, and if he did not directly justify, pleaded the practice of England as a precedent in mitigation of the wrong; when he had before him the evidence of the British minister's note accompanying the rejected treaty, deprecating the idea of the United States submitting to such wrong, and expressing an apprehension that his Britannic majesty would be obliged in self defence to retaliate. The choice spirits of his faction were, in concert with himself, determined to support NAPO-

LEON, AND FREEDOM, (no matter what he did,) against BRITAIN AND SLAVERY, and they absolutely poured into the gulf-wide ears of the credulous multitude, the absurd as well as atrocious falsehood, that the decree of Bonaparte was only an act of retaliation on Great Britain.

In the interval of time between the two decrees of Napoleon, an incident occurred which gave great advantage to the President's party and to the friends of Napoleon in general—an incident which seemed at first pregnant with circumstance of sufficient public exasperation against Great Britain, to enable the President if not to go to war with that country, which his timid caution and cunning forbid, and the prompt, wise, and temperate management of the British government, rendered abortive of that effect, at least to turn the hearts of the whole American people against her.

Notice has been already taken of the resolute and deliberate plan of the Jeffersonian faction and its chief to drain the British Islands of their population, and the English navy of its mariners—in a word, to give the aid of this country to the deep laid plots of Bonaparte against the British marine. That marine was the last rampart left to the civilized world against the subjugation of its nations by the universal despot and robber; and of course it was the object against which all who like Mr. Jefferson wished for the success of that monster, directed their enmity and their arts. That Mr. Jefferson, and the whole of that faction, did most earnestly wish for the success of Napoleon in his projects, is as much mat-

ter of true history, as the subjugation of Holland, Prussia, Switzerland, Genoa, or Venice, or any other of that tyrant's atrocities. What their motives could be, if indeed they can be at all considered dubious, it is of little moment to determine in this place. The facts are before the world—the motives most probably will be ascertained and brought to light with all their proofs upon their heads in due time. In prosecution of this systematic conspiracy against the very existence of Great Britain, every sailor that deserted from the British vessels lying in our ports met ready protection. The scheme was so extensive, so rooted in its hold, and so perfectly executed in all its branches, that a certain class of people in most countries in Europe, and the jacobins and democrats of all classes in America, entered into it with avidity. It appeared too, that men clothed in the honours of naval uniform, did sometimes in their zeal to oblige their President, or the Secretary of the Navy, overlook what was due to their own characters as gentlemen, by concealing British seamen, conniving at their secreting themselves, by encouraging, aiding, and abetting them in tricks, subterfuges, and evasions, and actually vouching for that which they were assured was not true. Commodore Barron for one stands charged with this.--- But he may truly state in his defence, that he only followed the example set by his superiors.

As this is a topic which has produced much agitation in the Union, and may be at last the cause of great and incalculable ills to the country, it ought to

have been canvassed with coolness and impartiality. On that single hinge the prosperity or the ruin, not of the United States alone, but of the civilized world might then be said to turn. But it was given up by the government as much as possible to the passions of the multitude which had been first prepared for the purpose, with groundless antipathies to Great Britain, and then exasperated by every artifice and misrepresentation.---If any American, considering the subject, felt himself too much warped against England, to view the question fairly, he ought to have recollected the relation it bears to America. If he could not summon justice to his aid, he ought to have called in policy, and to ask himself what that great and momentous national grievance was for, which the Union was to be plunged into continual dissentions with a nation that manifested every friendly disposition towards us---into difficulties---perhaps into a long and ruinous war. Setting aside the advantages which the world have derived from Great Britain, as its ultimate refuge from the conqueror, and taking it upon the footing that England alone were concerned in her fall or success, still upon the grounds of self preservation she had a right to secure to herself all means of self defence consistent with the laws of God, of Nature, and of Nations. Her navy was her chief defence; out of her own people those were to be taken who were bound to man it. To the commerce which made her chief strength, the class of men who alone were qualified for that purpose, owed their subsistence; and in that department of life they possessed many advan-

tages over those of their fellow-subjects who ranked in the same order of society. The British mariner is better fed, better clad, lives more independently, and has more money to spare than any other labouring man in the British dominions. Such are the advantages of his situation; and reason as well as law proclaims that he ought cheerfully to submit to its disadvantages. He is compelled to man the fleets which protect that commerce. The right to compel him, which at first was erected by necessity, and warranted by reason as well as power, has for centuries been sanctioned by prescription---the tenure by which ninety-nine hundredths of the rights and properties of mankind are held. It is to this right in communities, to enforce the service of the individuals who compose them for the public benefit, we owe that very power which our Executive most unsparingly, and without scruple resorts to, of embodying the militia.

To deprive Great Britain of this power would be to annihilate her political existence; for another nation to endeavour to diminish it, is an act of manifest hostility---to meditate it is an indubitable evidence of national enmity. Of that enmity on the part of our national councils Great Britain has unfortunately testimony of the most incontrovertible kind---evidence irresistible. At war for her existence and self defence, against an armed nation wielded by an inexorable tyrant who makes war, not for self defence---not for invaded rights---not for insulted or injured honour, but for conquest, Great Britain finds a nation calling itself neutral, fattening upon its neu-

trality, at once championing her in assertion of its rights as a neutral, and treacherously making war in the most dangerous guise in which war can be made, and making that neutrality the mask of a most destructive battery. With a loud voice England cries to America in the hearing of the world---"Let me have my own people; they are necessary to my existence!---If you do not I must take them by force wherever I can meet them."---What answer makes the government of America?---Why this---like a pawn-broker that after taking stolen goods in pledge, hides them away---and warns the owner not to come in; or bids him, if he happen to see them, touch them if he dare. This is on many accounts a pertinent and accurate illustration of the fact, and of the characters of those concerned in it. It was a deep game and played in a way as cunning as unfair. If England conceded the right of taking her men by force, and searching our merchant ships for them---then was her marine materially injured and the purposes of Napoleon were so far answered.---If she persisted in the exercise of her right, it furnished a pretext for non-intercourse, or if it suited the palate of our Executive, for war. As war itself would be less mischievous to Britain than to yield this point, she persisted in searching for and taking some of her seamen from on board our ships. The right which she had claimed and exercised for ages, and during the whole of the glorious and fortunate administration of Washington and Adams, she was not likely to yield to Mr. Jefferson. She offered to adopt, or to coöperate in any arrangement

to secure our seamen from impressment---and declared that she wanted only her own. But this would not satisfy our Executive. To part with it would be to lose an instrument of covert hostility to Great Britain. Did not the wisdom of the British government point out to them that it would be wrong to break with a worthy but deluded nation for the faults of its deluders, and magnanimity to despise such paltry cavilling, she would have acted upon the manifest conclusion that open and active hostility with us was as much less dangerous than this base war in disguise, as duel or single combat is, than the secret poison of the domestic assassin.

While the President and the creatures of the press (the press of him and of Turreau) poured forth their complaints about the impressment of seamen, and for some five or six who from the impossibility of distinguishing them from British subjects might have been impressed, while thousands of British sailors were skulking in our shipping, were ready to commit five or six million of people to the horrors of a war, not a complaint was heard from those who were most likely to be affected by the impressing. In the great navigating States hardly a complaint was heard, while the clamours from Washington and the complaints of the Kentucky, Tennessee, Ohio, Virginia and North Carolina people were heard all over the Union, and while our seamen could find no sympathy from their friends, relations and employers on the vast coast of the Atlantic, but were obliged to go out of the very atmosphere of their seas, to find pity and condolence on the banks of

the Susquehannah, the Alleghany, and the Potowmac.

In the latter end of 1806, a British cruiser having taken a vessel, put officers and a number of sailors on board her and ordered her into Halifax. On their passage thither, the British sailors joined with those of the captured vessel, rose upon the officers, and brought her into a port of the United States. Mr. Erskine, the British ambassador, applied to government for a surrender of the British sailors, charged with mutiny, piracy, and an attempt to murder their officers. To this reasonable requisition, the American minister answered that neither the law, nor the practice of nations imposed on them an obligation to surrender deserters, or fugitives from the jurisdiction of other powers, and refused to deliver up the men.

Some time afterwards, the British cruiser Halifax lying below Norfolk, four of her men were sent in one of her boats, under the command of an officer, on duty. They rose upon the officer, secured him, and made their escape, went straight up to Norfolk and were entered on board the United States frigate, the Chesapeake, by a Lieutenant Sinclair, who was recruiting for that vessel. The officers of the Halifax pursued them, designated, identified, and demanded the men of Lieutenant Sinclair, who referred them to Captain Decatur. Captain Decatur declined to interfere, because Lieutenant Sinclair was acting under another captain. The officers then applied to the civil authority, but

met with a peremptory refusal. One, and only one, of the men even pretended to be an American, and he could give no evidence of it. About the same time four men deserted from the Melampus, took one of her boats, rowed ashore, went to Norfolk, and entered the American service for the Chesapeake. Again Mr. Erskine applied to the Executive to order those men to be given up. He was referred to the written answer given him before by Mr. Madison. *The Government of the United States would not surrender fugitives from the jurisdiction of other powers,* FOR ANY CRIME, *nor under any circumstances whatever.*

There was something still worse than national antipathy or national prejudice in this. It displayed a partiality in favour of crime---a disregard to the due effectuation of justice---a tendency to give sanctuary to the most atrocious villany---and indeed did little less than render the American government an accomplice in the fact with all British subjects who, encouraged by impunity thus held out to them, and the certainty of meeting with an asylum from punishment, should afterwards become murderers, piratic mutineers, or deserters from British ships. The mutiny of the men who deserted from the Halifax, took place within the jurisdiction of the government, and in the waters of the United States, and was therefore a crime which, be it committed by whom it might, it was the duty of the American government, and a debt they owed their country, to prosecute. In a word, Mr. Erskine could obtain no satisfaction;

the men were withheld from him, and he sent a statement of the facts to Admiral Berkeley, who issued an order for taking by force those eight men, at sea, if not surrendered upon their being claimed.

The order was put into the hands of Captain Humphreys, the commander of the Leopard. Before the Chesapeake sailed, Commodore Barron had intimation of what was intended, sufficient to make him expect what followed, and ought not to have taken out the men along with him. The Leopard met the Chesapeake at sea---hailed her---sent an officer on board with a letter to Commodore Barron, containing the Admiral's orders, and in which Captain Humphreys pointed out to him the unavoidable necessity of his executing it. Commodore Barron wrote back word (and to the writing signed his name, thereby pledging himself to the truth of it) that THERE WERE NO DESERTERS ON BOARD the Chesapeake. Upon the British officer returning on board with this answer, Captain Humphreys ordered the Leopard close along-side of the Chesapeake, and hailing the Commodore, told him that he must be aware that he (Captain Humphreys) was bound to execute the orders of the Admiral, and expressed his hopes that it might be amicably effected. The only reply to this friendly remonstrance, which was three times repeated, was, "I do not understand what you say.' The Leopard was at the time to windward---yet on board her every word from the Chesapeake was distinctly heard. Finding that words had no effect,

the Leopard poured in a broadside. The Chesapeake then struck her colours. Two Lieutenants and several midshipmen went on board the Chesapeake, and returned with four deserters---three belonging to the Melampus, and one to the Halifax. This last had actually struck Lord James Townshend in the street, of Norfolk. Besides these, two deserters were killed, and one jumped overboard. The gunner of the Chichester who had entered and was acting in the station of gunner on board the Chesapeake, was found among the slain. And there were many other British sailors on board whom there was not time nor the means to identify. Enough, however, appeared to mark the disposition towards Great Britain, to establish the *veracity of Commodore Barron*, and to throw a light upon the subject of the complaints which have been preferred against the then President of the United States for encouraging desertion and mutiny among subjects of his Britannic Majesty.

This was one of those unfortunate transactions upon which the friends of both countries could not but look with regret---because on both sides there were great errors---great wrongs and great causes for complaint.

The first to acknowledge her share in the wrong was Great Britain. His Britannic Majesty's most immediate representative in this country, Mr. Erskine, lost no time to disavow the transaction on the part of his sovereign, and to declare that the aggression was unauthorised by the crown and

cabinet of his country. And perhaps there could not be a more decisive proof of the real disposition of the British government to our country than this one circumstance. A British admiral—a person not only high in authority by his professional situation, but known to stand high in that rank which belongs to family and opulence—the brother of an old British Earl of great influence, covered moreover with the hoar of age and its appropriate gravity, issues an order to his inferior officer to do certain acts hostile to America. Thus circumstanced, it would naturally be taken for granted (as indeed it was) that his orders were the orders of the great legitimate authority of his country. But the British ambassador, who though a youth, had full possession of the counsels of his sovereign's cabinet, and knew its disposition towards America, without hesitation, without any new advice or communication from his court, but relying wholly upon the spirit, amity, and sincere conciliation which he knew animated the councils of his sovereign, at once, even in the very teeth of so great a man as Admiral Berkeley, disavowed the act on the part of his Britannic Majesty. A stronger proof than this could not be given of the amicable and friendly temper of the British government.

That the attack on the Chesapeake, she being a national ship, was an unwarrantable act, is certain. No sooner was it generally known than in all parts of the Union the spirit of the people manifested itself in vigorous and animated resolutions. The federalists made common cause with the democrats, and the

flame spread rapidly and furiously over the face of the country---and now the Executive had it in his power to give the most perfect gratification to his aversion to Great Britain and partiality to France, by declaring war against the former, if his own miserable policy had not so crippled the country as to render military or naval operations, whether offensive or defensive, utterly impracticable. To talk of war after his having destroyed the navy, extinguished the military spirit, exhausted the treasury, and annihilated the revenue of the Union, as he had done, would have been madness. Besides, his systematic caution suggested the expediency of getting England farther into the trap, and of producing upon her all the mischief of war, without hazarding actual hostility. Accordingly, that print immediately under the direction of the cabinet at Washington, with much specious candour expressed a persuasion that the outrage on the Chesapeake was not authorised by the British government---while, on the other hand, the print which was under the joint influence of our Executive and the French minister, giving a decided preference to the instructions of the latter, declared peremptorily, that we were already at war. "YOU, "(said that agent of France to the American people,) "YOU ARE ALREADY AT WAR---*it has been com-* "*menced purposely and premeditatedly*---WAR IS "ACTUALLY COMMENCED." It is worthy of particular remembrance that this was the very language held by Napoleon soon after. The Emperor of the French announced to the government of the United States, that they were at war with Great Britain.

While the President affected moderation as a mask, and concealed at once his private, hostile designs, and his incapacity for war under a specious appearance of candour, he and his agents resorted to every practice that could increase the public alarm and exasperate the feelings of the people to the highest degree of indignation against England. The captain of the Leopard had refused to take the Chesapeake as a prize, though Commodore Barron offered to deliver her up. The President therefore could not ascribe the attack on that vessel to a disposition for war. He knew, however, that the British had no invading army to land, nor could expect or purpose to make a military invasion. Yet with this conviction staring him in the face, he ordered a hundred thousand militia to be detached for the purposes of defence; while in that point in which alone the country was vulnerable, no preparations of an adequate kind, or even approaching to it, were seen on foot. All this was done (for there could be no other motive for it) to increase the general alarm, to exasperate the multitude, and to inflame the public resentment to such a state of exasperation as would operate upon the apprehensions of the British government, and enable him to extort concessions from them which would perhaps more effectually than open war, wither the arm of England, serve the *honest* cause of Bonaparte, and confer upon him the spurious glory of having wrested from Great Britain those rights which she had at all times, and in all circumstances, firmly refused to relinquish---which all men in England of all parties have ever concurred in the determination

to maintain---and which, even the minority of Mr. Fox, in the most stormy days of their opposition to the war with France, declared must be held against the united force of the world.*

It is worthy of remark, as it throws still more light on the intentions of this administration, that the treaty with England was suffered to expire. A renewal of that treaty would have been, so long as it existed, a pledge of security to the United States against any interruption to their commerce, and certainly have prevented all those injuries which it had since suffered. The termination of the war between France and England, by the treaty of peace commonly called Addington's peace, presented a fair opportunity for negotiating to that effect; but as if the barely proposing an amicable and beneficial intercourse with England was considered as an offence to Bonaparte, our government suffered this country, then so prosperously commercial, to remain in a state of total political disruption from the first commercial and maritime power in the world: Nor could the cabinet plead even one attempt to negotiate, in palliation of a neglect which, on the recommencement of war in the year 1803, left our commerce exposed to all the interruptions to which the constructions of laws, in their nature not very definite, might subject them.

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* Mr. Sheridan declared, for his colleagues as well as for himself, that they would nail the flag to the mast, and go down with the last ship that remained to England, rather than give up that right.

With France there was a special treaty existing, under which our commerce would have been held sacred against interruption, by any state which held the observance of treaties, or obedience to laws, necessary. But in direct violation of that treaty, Bonaparte issued his Berlin decree, infringing thereby the law of nations, and trampling upon the commercial rights of all neutrals. The conduct of President Adams, upon the memorable occasion of the decree of confiscation passed by the French Directory, in 1798, and the consequent aggressions on our commerce, will never be forgotten. It brought the American people round his standard, and with their aid he repelled the French insults. The Berlin decree was of the very same nature, but exceedingly aggravated in mischievousness and wrong. Speaking of the decree of 1798, in his speech to Congress, President Adams pronounced it to be "AN UNEQUIVOCAL ACT OF WAR, WHICH INTEREST AS WELL AS HONOUR CALLED UPON THE NATION FIRMLY TO RESIST." In virulence of quality, the Berlin decree far exceeded it---yet our Executive turned from it complacently, and directed all the wrath of the nation against Great Britain. It would seem as if the HONOUR of the nation was, in his view, nothing; and, as to interest---the interest of Bonaparte demanded that it should be overlooked. Who that considers the disgraceful, miserable, squalid plight to which the nation was reduced by that shameful tameness, but must look back with gratitude, respect and admiration, to the very different issue of the aggressions of France in the administration

of Mr. Adams.---All our treaties with that power were instantly annulled by law---all commercial intercourse with it or its dependencies was prohibited---and a naval force was at once provided for the purpose of protecting our rights. It did protect them---it scourged the enemy---it brought the gasconading French tyrant to our feet in the attitude of supplication for peace. The United States asserted their dignity along with their rights. Our magnanimity extorted the respect of the civilized world. Our officers and seamen returned home crowned with laurels, torn by their skill and valour from the bloody brow of the French usurpation;---and that very tyrant who now rules France, and the destinies of the nations that have been conquered by his hosts, or sold to him by their own domestic traitors, was fain to enter into a treaty, recognizing not only our rights and relations of amity, but the public law of the world, which, in violation of that very treaty, he has since set at defiance. Adverting to this, the House of Representatives of the State Legislature of Massachusetts, in a report of a committee of the House, in February, 1809, spoke thus:

"Had our rulers, after the promulgation of the "decree of Berlin, followed the example of their pre- "decessors, the English orders would not have been "issued, nor should we now have to deplore the dis- "tress which affects the country.

"If then these evils might have been avoided by "imitating the example of 1798, may they not yet be "removed by retracing the erroneous steps which

" have been taken, and by adopting now those mea-
" sures which then proved efficacious?

" To this end let Congress repeal the embargo,
" annul the convention with France, forbid all com-
" mercial intercourse with the French dominions,
" arm our public and private ships, and unfurl the
" republican banner against the imperial standard.

" This done, the English orders would cease to
" operate---we should hear no more of the unparal-
" leled folly of contending at the same time with
" all the great powers of Europe---our trade to every
" region of the globe, except France and her depen-
" dencies, would again recover and flourish---our
" agriculture would feel the emancipation of trade,
" and, hand in hand with general prosperity, the
" revenue of the nation would once more exceed its
" expenditure."

Instead of directing the national indignation against the original source of all this mischief, the presidential phalanx pointed at England as the cause, and in every part of the Union the most subtle and dishonest artifices were made use of to lay the whole of the blame on Great Britain. The scheme of the Executive to prostrate England at the feet of the Corsican, though not publicly promulgated, was understood and acted upon by all its inferior agents, panders and placemen in each State, and those, without the least sense of shame, disseminated opinions which even Mr. Madison might be ashamed to have uttered openly. Whenever the orders in council of England and the infamous decree of Napoleon were mentioned, the former were put foremost in order to convey

the idea of their being the radical cause of offence; while the latter was held forth as a mere act of retaliation on Great Britain, for similar violations committed by her. But as there had not occurred any acts of Great Britain of a similar kind previous to that decree, an explanation would naturally be demanded, wherefore the agents of the Corsican and his American panders brought the story back to a principle said to be assumed by Great Britain about fifty years before, (1756)---an assertion which they knew to be false in fact---false even to absurdity in its application: For, if the priority in point of time of the aggression, and of the principle on which it was founded, being proved upon one, ought to exonerate the other from the guilt of practising it; that priority certainly belonged to France, whose edicts to that effect, given in continuity from the year 1704 up to the present time, are on record to prove it.

The President, whose ideas of warfare upon this occasion could not, even by the potent tug of Bonaparte's arm, or the persuasive emollient of his private diplomary, be drawn out beyond the pitiful effort of "seeing which could do the other most harm," and who seems to have long *permitted himself* to cajole himself with the fond hope that he held the destinies of nations in his hands, by a new mode of warfare, in which, without drawing blood, he could send death and destruction in the shape of famine through their lands only by stopping provisions from going out of America, resolved to postpone the fate of the British Islands no longer. He, therefore, by and with the

advice of his Senators and Representatives, in Congress assembled, or rather they by his advice, did at length lay an embargo upon all the exports of the country. The starving and driving to despair the subjects of Great Britain had long been a favourite plan with our Executive.* Of his disposition, or that of all his party to that effect, little doubt could be entertained---but of the ignorance displayed in the measure, even by those who thought most humbly of his intellects and knowledge, he could hardly have been suspected. He ought to have remembered, that during seven years of war with America, Great Britain drew nothing from the United States. He ought to have remembered, that the West-India Islands were for a long time only occasionally open, and that by particular proclamation, to the entrance of American produce ; that those islands can be abundantly supplied with provisions and with all the productions of which America can boast, by Great Britain, from her own soil, and that of her dependencies. Immediately the Union took the alarm. The consequences were too obvious *and too distressing* not to be foreseen. The *merchants in general* felt themselves deeply aggrieved, and foreseeing that

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* " Here," said Mr. Madison, in his speech in support of Secretary Jefferson's report, in 1793, " Here are *three hundred* " *thousand souls* who live by our custom.—Only drive them to " POVERTY AND DESPAIR, and what will be the consequence ? " Most probably an acquisition of so many useful citizens to the " United States."

they would fall the first victims to the measure, even before it could approach the other classes of the community, and that the greater part of them would be in the end, driven to that POVERTY AND DESPAIR, which Mr. Madison was willing to deal out so liberally to those whom he wished to destroy, were the first (the minority in Congress excepted) to make complaints, and to urge the impolicy of the measure; and while the leading politicians demonstrated the unconstitutionality of the act, and its inefficacy as an instrument of compulsion on the belligerents, the commercia body filled with that knowledge in their profession which enables men to look far into the future and to trace up causes to their consequences, and inured to habits which render them penetrating and sagacious, foresaw, and pointed out the very injurious effects which must permanently follow the embargo long after its more immediate mischiefs should have passed by. They said that it would not be a temporary interruption merely; it would, like an earthquake in the physical world, be a convulsion in which every part would be dislodged from its fixed natural position, and thrown into new and inconceivable forms. That all the old channels through which commerce was accustomed to pour forth its streams of opulence through this happy country in an abundance unexampled in the world, fructifying the land and enriching its inhabitants, would be choked up; and that the whole tide rendered furious by obstruction, and resistless by its collected force, would according to the unavoid-

able course of nature open new channels for itself in directions out of the territory of the Union, and seek, till it found, its own level in more favourable and practicable soils. They observed that though zealous patriotism and honest partiality to their own country had hitherto induced the farmers to bring the productions of their lands to markets and sea-ports belonging to the Union without ever considering whether it was to their advantage or their loss, they would now, under the impulse of necessity resort to other countries, and find out the secret that there was a better market than their own to go to---that on the single article of potash the carriage from Vermont and the western part of the State of New-York was one dollar and a quarter a barrel less to Montreal than to New-York, while the price was higher at the latter than the former. They observed that the soil and climate of the West-India islands were well adapted to the growth of corn and various kinds of sustenance as well fitted as that produced in the United States for the food of negroes, and that already the planters in some of those had begun to turn their thoughts to the raising of provisions in consequence of the unprofitable returns from the cultivation of the sugar cane, and if once startled by the sudden and unexpected privation of our supply, would find it worth their while to enter with spirit and diligence into the growth of those productions, and thereby soon become perfectly independent of importation from America. They reminded the advocates of the embargo that so far from its being

true that Great Britain could not feed her West-India colonies if necessary, the license occasionally given to those islands to import from America and in American bottoms was granted out of special favour to the importunities of the planters, who craved it, not because they could not be supplied from other places, but because they were supplied upon cheaper terms from America—a license which afforded the people of Ireland great cause of complaint, and subjected the British ministers to suspicions of an undue partiality to the West-India interests. And they very justly observed that when once the trade should be wrested from its old channels it would be many years before it could be restored to them, if ever it could be restored at all.

It was evident that the West-India islands, not only from policy, but from pride, would make it their business to secure themselves against any future interruption; that having once found a substitute for American produce they would not again subject themselves to an unexpected privation of the necessaries of life, nor suffer it to be imagined that they were dependent for their support on the will of the government of the United States, nor endure to hold the existence, or even the ordinary comforts of their slaves, upon the precarious tenure of a cabinet and a legislature which was subject to be totally changed every four years, and which they had already in the space of not half a score years seen alternately filled with the extremes of wisdom, knowledge, firmness, and integrity on the one hand,

and of folly, pusillanimity, capriciousnes, vice and corruption on the other.

All that was apprehended from the embargo, fell far short in mischief of the effects which it practically produced. All at once the trading towns, and particularly the metropolis of each State, sunk into a state of langour, torpid listlessness and dejection. The busy hum of labour no more was heard in the streets--bankruptcy stalked through the cities, and the innumerable poor retainers to commerce, destitute of means to sustain life, walked about the deserted wharves in despair. The banks of the rivers were lined with noble vessels consigned to idleness and rottenness, while their owners, with scarcely the means to live, were saddled with the waste incurred by their idleness and decay. —The mariners at once put out of the exercise of their industry, were driven to the last stage of distress, and in many instances obliged to live upon the contributions of the benevolent few who could spare them relief. The innumerable tribes of labourers who subsisted by doing the lowest offices of commerce were reduced to the last extremities; and the more respectable assistants of our merchants—their book-keepers, clerks, and accountants, being now rendered useless, were compelled to leave their employment and to shift each as well as he could, for a subsistence. Some who, more happily circumstanced than the rest, had a welcome reception from parents, or relatives, or friends in opulence, retired to their native homes to languish away their lives in cheerless idleness, their

honest spirits harrowed with the torturing sense of present dependence; or, if mean and worthless enough not to feel that sensation, acquiring habits of idleness, lazy gratification and sloth. Others, the well educated citizens of respectable, but poor parents, (perhaps the son of a widowed mother, whose pittance, too small to admit of participation, barely sustained life---abhorrent of lessening that little, and unwilling to give a pang of fruitless sympathy to the heart that nurtured him,) retired into the country, and among unknown people, agriculturists and others, sought that support from bodily labour which had been snatched from their mouths by the unfeeling harpies of political speculation---while others resolutely made their way to countries where, if there was less to be earned, there was greater certainty of that less, and where the long arm of Napoleon could not reach the councils of the country, or, with his conjurer's wand of imposture, overturn the established condition of the people and blight their private as well as public felicity. From various parts of the Union the starving mariners worked their way to Halifax, and fled out of the jaws of famine into the arms of the navy of Great Britain. Utter despair would have seized on all, if from the very folly, or rather madness, and the universal execration in which it was held, of the measure that was working their ruin, they had not drawn the hope of its speedy repeal. In a word, the individual sufferings from this one measure were little short of those which have marked the slow-consuming but bloodless ravages of Eastern tyrants, when

the wrath of Heaven, visited in plague, or pestilence, or famine, have afforded them occasions of profitable speculation and monopoly.

But the groans of the poor were not heard---stifled in the saucy clamours of the defenders of the embargo against the assaults of the virtuous men of the country. It should be carefully kept in mind that those, in their defence of the embargo, took very different grounds from their President. He held it out, as a salutary, precautionary measure to save our ships from being captured---they justified it as an act of caution by which Great Britain and France were to be brought to submission; and in order to widen the basis of their arguments, they inveighed most virulently against the former. But be the grounds of the measure what they might, two decisive things against it were obvious. One, that it was an outrageous violation of the Constitution, and an act of illegal usurpation in the government---the other, that it was mischievous and destructive to the prosperity of the Union, and actually did service to Great Britain.

To many well informed persons it appeared astonishing that such a large portion of people in and out of Congress should support the measure;---but such persons were not aware of the various ways in which a great national evil may be made subservient to private individual interest. In the party which had all along supported Mr. Jefferson and his measures, there were men who fattened upon the spoils of the country, and who being members of the head Legislature and posssesing great party in-

fluence made the measures of the Senate itself and the Legislature instrumental to the success of their trading adventures, and either opposed or supported measures, and now decreed and now repealed just as it suited their commercial speculations. One leading character of this kind---an amphibious or hermaphroditical partisan of the Executive---half Merchant half Senator---being at once a rich and efficient Merchant and ship-owner, and also a member of our honest, free and independent republican Legislature, was so truly zealous a patriot, that at one time he was known to force a trade against the law, in order to help his country's commerce---and since that, in order to help it again gave his vote and influence to the embargo law which went to prevent its having any share at all, such only excepted as his virtuous President should think proper to place in chosen hands like his. To speak more intelligibly, this worthy member of a worthy party, was known to have enriched himself by supplying the French West-India islands with provisions in the year 1797, while all intercourse was forbidden between the two countries, and while we were at war with France.---And it is not less known, that the same person did by his influence in the Senate stop the passing of a bill, and in two months afterwards bring in that very bill again, having made it in both cases instrumental to a commercial speculation by which he cleared an enormous sum of money---near a quarter of a million of dollars. This very man shuffled with the embargo law in the same way and for the same purposes. By such

men as this, and for such purposes as these, are Mr. Jefferson and the embargo supported. There are several of those who could be mentioned, but this man has the honour of standing at the head---the Captain Rolando of the gang.

Adverting to the origin of this extraordinary, unprecedented and ruinous measure, posterity would be at a loss to conceive what the grounds were on which a Legislature, elected by a free and the most independent people in the world, could have been prevailed upon so far to outstep the boundaries assigned them by the Constitution as to commit so violent an outrage upon their constituents. The documents laid by the President before Congress as the basis of his recommendation of the act, appear alike to the dullest and to the keenest sight, utterly insufficient. They were the following:

The 1st document was, the proclamation of the King of Great Britain, requiring the return of his subjects, seamen especially, from foreign countries, to aid, in that hour of peculiar danger in the defence of their own.

No one can be so barbarously ignorant, or so diabolically impudent, as to consider this proclamation a cause for the embargo. But should any be so, they had better follow it up with this question. "If "the British government, calling its subjects home, "be culpable, what must be the criminality of those "who have used all practicable means to delude "them from home?"

The 2d document was, an extract of a letter (not the whole one) from the Grand Judge Regnier, to the French Attorney-General for the Council of Prizes, containing a partial interpretation of the Imperial blockading decree of November twenty-first, 1806.

Although this document, which as well as the preceding, the President ventured to make public, vouches for the most flagrant violation of the neutral rights of the United States; yet still, since upon the authority of the Executive, as well as on the face of the facts, the cruizers of France were too few and too much confined in their operations to give any very extensive interruption, or materially to injure our trade, it cannot possibly be considered as an adequate ground for the embargo.

The 3d document was, a letter from Mr. Armstrong, the American Minister at Paris, to Mr. Champagny, the French Minister for Foreign Affairs.

The 4th document was, Champagny's answer.

These last two were both kept secret from the public, being withdrawnby the President; but it is allowed by those who read them, that neither of them presented any just ground for an embargo. There was also given in a printed piece, cut out of a news-paper, purporting to be the British proclamation, by way of a document.

On these grounds, however, such as they were, an embargo was voted by the House. And, as if the faction were afraid that if time for due consideration were allowed the House, it would be rejected, they procured the bill to be carried through, in a time never known before, but in cases of great public emergency. In a word, it was reported—read a first time---a second time---a third time---and lastly passed, all in the space of four hours. The secrecy that was observed, and the rapidity with which it was carried through, would of themselves raise suspicions of the intentions of those who introduced it, and bespoke a conviction on their part that the measure was not defensible. Several respectable Senators, and among them that great and upright statesman, Mr. Timothy Pickering, entreated time to consider it and discuss the matter, but their voices were drowned and overwhelmed in the clamours of the Executive minions. Neither did they, nor indeed could they, give any reason for such scandalous expedition.

It appears then, that the documents laid before the Senate afforded no grounds for the embargo. Then what were the grounds ?---It could not be the British orders in Council to a certainty, for they were not known in America on the 17th December, and the embargo bill which could not be conceived, prepared, and fitted for the House in less than three or four days, was passed on the morning of the 18th. Neither could it have been the Milan Decree, for the Milan Decree was not issued at Milan till the 17th December, one day only before the adoption

of this measure of dreadful consequences. But it happened that just four days before the introducing and passing of the act, "The Revenge" arrived from France with dispatches. She had been detained between three or four weeks in waiting for those dispatches. As it was well known that she brought some important intelligence respecting the state of our affairs with France, the public waited with eager expectation to hear their contents. But the Executive equally insensible to their rights as to their feelings, and utterly regardless of their solicitude, kept them in the dark; and all that the people were fated to know of the dispatches was their result, the embargo. For this concealment, there could be but one motive, and that was that the contents would not bear the light; that the disclosure of them would have roused the suspicions of the people, alarmed their fears, and betrayed some secret plans, before they were ripe for execution.

The fact is that the Berlin decree was the beginning of a deep laid, extensive, and resolutely digested plan, to annihilate the political existence of Great Britain, through the downfall of her commercial prosperity. To the execution of this plan, most of the powers of Europe had been either by fraud or force, by deception or compulsion, induced to afford their coöperation. From the far greater part of Europe, British manufactures, British produce, British commerce of every kind, had been formally excluded. From France, Holland, Germany, Russia, Denmark, and Spain---in short, from all Europe, Sweden, Sicily, and the Islands, excepted. The American Executive, though willing to coöperate, and to a certain

degree secretly pledged to France on the subject, had a more difficult part to perform. A people, by habit commercial, by nature jealous of their rights, and still more of their property, might, though prone to delusion in the ordinary workings of general national politics, be found very restive and refractory, if their commerce should be interrupted and their profits destroyed, and here there was no force to awe them or bleed them into compliance. Between this, and OUR President's legion of honour, three thousand miles of ocean rolled, and that same British fleet, so hated and conspired against, floated an impassable mound across the waste of waters. The Revenge spoke the ultimatum---the answer to it must be categorical and decisive---the practical reply must be prompt---that was the precise time when the blockade of Europe against England, if it could have succeeded at all, would have been effectually aided by that of America in destroying Great Britain;---a blockade of our ports in the expressed and avowed terms used in Europe against Great Britain, would have been a dangerous experiment---it might have cracked the fine spun thread of the Gallic conspiracy. The game might be started before the net was over them, and might turn upon the hunters and break their toils. It was expedient therefore to proceed more slowly and silently. "I will allow no neutrals," says Bonaparte in "the Revenge." No neutrals! said he to Mr. Jefferson, who all the time was urging his neutral rights as a pretext for dashing his embargo in the face of Great Britain. What was to be done? Blockade the ports against England? No,

not in express terms; that would be an act of war. What then must he do? Why, shut Britain out in milder terms---dish her up a mess of the same *Jaffan* sweetmeats with which he had treated Washington and Adams---the candied words that covered Freneau's, and Callender's, and Bache's, and Duane's ruthless poisons:—in a word, lay on an embargo, and to keep up the ignominious farce of deception, pretend to negotiate, so that if the conspiracy should fail of effect, it might pass (not unsuspected, for that was impossible,) unproved by visible evidence to the world.

The day the Congress passed the embargo law, they knew so little the grounds upon which they had acted, that when asked (for every one was inquiring) "for what the embargo was laid?" there was not one of them who could, and at the same time dared, to answer the question. The most, if not the whole of them, could tell, and could tell no more than, that the President had asserted in his message to them that the papers already mentioned "SHOWED THAT "GREAT AND INCREASING DANGERS THREAT-"ENED OUR VESSELS, OUR SEAMEN, AND OUR "MERCHANDIZE." But the far greater part of them knew that this could not be true. There was evidence superior to that even of the President's assertion to prove that there was no new danger---at least none of which every merchant in the country was not fully apprised. In fact, there was nothing suggested to Congress, that was not fully known to the merchants and seamen, about whose property and persons Mr. Jefferson had so much a more lively care

than themselves. Yet they disregarded it. The merchants knew better how to calculate their risks than Mr. Jefferson, or Mr. Gallatin himself; yet they felt no apprehensions; while the insurers, by scarcely increasing their premiums, proved that the assertion of the President, that great and increasing dangers threatened our vessels, our seamen, and our merchandize, was all a purposed fallacy—a pretext.

With respect to the effects of the embargo as an instrument of coercion, it completely failed. Like a rotten old gun overcharged, it burst in the hand that fired it off, and hurt them without hitting the objects at which it was directed. In a letter from Mr. Armstrong to Mr. Madison, dated the 30th August, 1808, which was suppressed by the Executive and brought to light by accident, that gentleman said—"We have somewhat overrated our means of coercion. "Here the embargo is not felt, and in England (in "the midst of the more recent and interesting events "of the day) it is forgotten." And from a letter written by Mr. Pinckney, January 26th, also suppressed, and in the same way brought to light, it appeared that the British minister received our embargo with great satisfaction.

The first intelligence of any consequence received from England respecting the unhappy affair of the Chesapeake, was that the King's Ministers disavowed the act in the Houses of Parliament;---and that his Majesty had appointed a special envoy to come over and offer satisfaction and atonement to the government of the United States for that aggression. Mean time the Proclamation excluding British ships

from hospitality was continued in force. The new envoy, Mr. Rose, after having been some time expected, arrived in the Chesapeake and proceeded to the seat of government. His arrival diffused universal joy among the people---all but the French faction, who even out of that marked act of conciliation contrived to draw inferences of a hostile and scornful disposition on the part of the British government to the United States.---Personal insults of the most gross kind to Mr. Rose, were published in the jacobin prints---and the most insolent and malignant invectives were thrown out not only against the envoy himself, but his family. Little less signal for cowardice than improbity and every baseness, the jacobins never omit an occasion that offers to cut a dash by reviling with opprobrious language, those who they know either cannot, or scorn to chastise them.* The body jacobin trembled with apprehension that an amicable adjustment would take place between America and Great Britain.---But they had no cause to be fearful of any thing of the kind. The care of

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*--This comes particularly home in the case of the atrocious Arch Jacobin of New York, who, last month, gratuitously abused Mr. Rose in a speech in the State Legislature: a speech for which, if punishments were exactly proportioned to the moral turpitude of offences, he deserved a gallows. This man has had the ingenuity to improve upon ordinary apostacy, to have made an era in human infamy, and to have added to the catalogue of crimes, a new article compounded of every thing that has hitherto dishonoured our nature amalgamated into one mass, and sublimed in its essence.

that belonged to Mr. Jefferson and Mr. Madison, and could not possibly be deposited in better hands. Mr. Rose informed Mr. Madison that he had authority to offer the American government such atonement as could not possibly fail to be satisfactory---but that as a preliminary to that, it was expected that the proclamation would be rescinded, as it was founded upon an act which his Britannic majesty had disavowed, and which therefore could not fairly be assumed as the ground of an act of hostility. Mr. Madison desired to be previously informed what the nature and amount of the intended atonement was---but with this requisition Mr. Rose said he could not comply without exceeding his instructions---but assured him generally that it was such as could not fail to give the most perfect satisfaction to any reasonable or liberal expectation. On this mere matter of form the negotiation broke off. Mr. Rose, however, was given to understand that if the affair between the Leopard and Chesapeake had never occurred, the proclamation, and also an embargo which had been laid upon all the vessels in the Union, would have been put in force, till ample reparation should be rendered by Great Britain upon certain other topics; to wit, the impressment of men---the searching of neutral ships, &c.---all of which Mr. Madison desired to include in one negotiation, rather wishing to decline treating separately upon the subject of the aggression on the Chesapeake. After some weeks spent in vain efforts on the part of Mr. Rose to bring about an amicable understanding between the countries, and after an unparalleled display of cunning, meanness and insin-

cerity on the part of Mr. Madison, the former returned to England, no doubt inwardly as much pleased at the continuance of the embargo, as sorry that he could not bring home with him intelligence of the President's proclamation being withdrawn. It is a phenomenon in the history of political fatuity that the government of a country should have recourse to a measure as an act of coercion and hostility to two other belligerent nations---that that measure should be found not only to be inoperative to that effect, but actually to do service and give satisfaction to those very two nations; and instead of serving, to do great mischief to itself: and that after all this had been proved, it should still be persisted in. Decorum prevented the British ministers from avowing the advantages which Great Britain derived from the embargo---but Bonaparte has in a public state paper mentioned it with approbation and applause, as a benefit conferred on France by the government of the United States and a proof of their friendship---and there is little doubt that it was really intended as such.

As the embargo advanced in age and execution, its evils began to be more sensibly felt. In no part of the world are the people so little permitted to think or decide for themselves as in this republic, the United States of America. Their shepherd, some leading demagogue---his dogs, the editors of the party---the poor sheep of each division are driven along on this side or on that, just as it suits the great object of that party. No other shepherd will they, poor things, own---no other pipe will they listen to---and thus they

go on first to be fattened with vile adulation---then shorn of their fleece---then slaughtered.

> " Pleased to the last they crop the flowery food,
> " And lick the hand that's rais'd to shed their blood."

The legality and the policy of the embargo were questions of abstract reasoning, of which the agricultural people knew just enough to enable them to guess at what their demagogues and editors said about it, and to believe it most implicitly.—Their time of probation was not yet come---they had yet no great surplus of their produce lying upon their hands. Their markets had been made for the year. They had nearly parted with their last crop and laid in their assortment of imported domestic necessaries---they were therefore able to indulge in the lucubrations of the democratic editors, whom they little suspected of being French agents, with great composure; and to contemplate the sufferings and bankruptcies of the merchants with all imaginable patience, and perhaps with some degree of self gratulation at their own happier lot. But the God of beneficence who sets all things right in his due returning time filled the barns of the farmers with corn which they could not sell, while the waste of the house and daily tear and wear brought about the annual demand for repairs which they could not buy. And now the practical effects of the embargo instructed them in the difference between sophistry and proof---between theory and experience---between speculation and feeling. They became first dubious ---then discontented---then angry. Their murmurs

were heard rising in one general voice from all parts of the country. Soon they spoke aloud; they assembled in every district, and county, and town, to express their discontents. In New-England particularly, where they are an enterprising, commercial and a fishing people, they most severely felt the grievance, and were earlier and more resolutely indignant of the act. There the towns and cities were in imminent danger of being starved. In Vermont and New-York, and all along that country which borders on the Canada line, the people, disgusted no less with the folly, than exasperated at the injuries received from it, resorted to Canada with their produce, and there finding a ready market, and hard cash paid down for every thing they sold, all at once opened their eyes to the superior advantages of dealing there. The report of the success of those who first went there spread like wild-fire all over the States and sharpened the appetites of all the people for that market. It was an extraordinary fact, and sufficient to demonstrate that the saving of our ships from capture at sea was not the real object of the law, that all trade by land between America and the neighbouring countries was forbidden no less rigorously than that by sea. Government made use of every means to stop the people from crossing with their produce to Canada and Nova-Scotia. On the confines of those provinces every stratagem that ingenuity could devise was practised to evade the law. Force was then thought expedient, and was resorted to---but no force, no cunning could prevent the intercourse materially. The government began to display the ma-

lignant irritability and perverse temper of opposed or disappointed despotism. They menaced---they embodied troops---they dared at last make some use of their gun-boats, against an enemy from whom there was no danger---that is to say, their fellow-citizens. Vessels were seized---confiscations were made---the gun-boats, miserable little spawn of the inventor's costive soul and beggar brain, were sent off from their wonted wharves, stationed in our waters, and the gallant youth of the country, fitted for far nobler game, were sent to prey upon the efforts of their fellow-citizens to procure bread by the prosecution of their accustomed business, and to reap a victory much more worthy of those who sent them, than of themselves—a victory over the miserable peculium of their poor abused fellow-citizens' hard industry.

That it may sometimes answer the views of high leading characters to excite the people of their country to insurrection, is a fact for which the world has the evidence of manifold experience. Every one who is but tolerably acquainted with the European politics of the last sixteen years, must know that that was the case in Venice, Genoa, Switzerland and Holland. There, such things were done---there, they answered the purpose for which they were done, and there the consequences serve to direct the sight to a distinct view of the motives. If motives of the same kind could be supposed possible in the present case, one might account for a system of conduct being persevered in, which looked as if it were intended to infuse a spirit of discontent into the hearts

of the people. It has already been seen that no man could profess a more perfect and implicit subserviency to the will of the people than Mr. Jefferson did, and that it was the ladder by which he mounted to power. Yet no sooner was he firmly seated in it than he shook off from him all scruples respecting their will or even their welfare, and as if he were chained down in obedience to the sway of some power much superior to that of his own people, put them under the coercion of measures which trenched upon their rights and privileges, violated their constitutional independence, impoverished them, and endangered the peace of the Union by its pernicious operation upon their dearest interests. And when the language of complaint was heard from every part of the Union, as if with a purpose to aggravate that which he had already done, and try how far the patriotism of the country would extend, he obstinately persevered in the rigorous execution of the act. His whole presidential course had indeed been but one tide of experiment upon the generous but mistaken attachment of the people to him. He had tried them and tampered with the Constitution till he had reason to think that he had completely suborned the one to any purpose he might think it advisable to entertain, and that he had trenched so far upon the other that the residue which he had left unviolated, would be easily overcome. The majority of the Union were now reduced to a state of degradation and subserviency to his will, in which the most audacious attempts, he thought, would at the most pass unnoticed; while in the conflicts and violent clashings of

state as well as party interests, in the confusion and alarm, and under the plausible pretext which the posture of affairs afforded for raising a military force, a power far beyond that which the Constitution allowed to any man, might, he thought, be successfully aspired to. The people had already made so many sacrifices when there existed no semblance of a pretext for demanding them, that it is highly probable he expected they might be brought to make one more, greater than the former, on the pretence of enabling him to meet the public danger.

Let his reasonings, his hopes or his wishes have been what they might, he and his minions came forward with a measure than which one more oppressive, unjust, or tyrannical---one more contradictory to the letter and spirit of our Constitution, one more completely subversive of the dearest rights and most valuable privileges of the people, could not have been engendered by the foulest union of cunning and despotism, intent upon making a free people pass under the yoke of slavery. It was opposed in Congress with great force of reasoning, and some of the most vigorous effusions of eloquence. But reasoning and truth however recommended by eloquence, were of little effect against the influence of the Executive, the prejudices against Great Britain, and the fond partiality which this REPUBLICAN body entertained in its majority for the "grand tyrant" of Europe. For, notwithstanding the pretences of the

President that the embargo was an act of mere municipal regulation, and his putting that shameful falsehood into the mouth of his ambassador, Mr. Pinckney, all those who were in the secret knew and openly avowed that the embargo was in reality a purposed hostile act of coercion against Great Britain, and a tribute to the emperor Bonaparte. No law ever made in any country received more unqualified reprobation than this last—none ever deserved it more. In one respect it might be considered an admirable measure for the country; as it served to exhibit in their true colours those pretended friends of the people and their independence who made their way to power by the most foul, false and dishonest imputations against Presidents Washington and Adams. Yes!---the friends, the advocates, the idolaters and the partisans of Bonaparte, and the authors of the inquisitorial enforcing act, were the very persons who accused Washington and the federal leaders of being monarchists, and of a desire to introduce monarchy into America. The ready pander of Bonaparte's corruptions, the jackal of the sanguinary wild beast of Europe, was the same, who after comparing Washington to Sampson, said that "His hair was "cut off by the whore of England." But let this precious act of despotism, devised by the grand democracy of the Jeffersonian cabinet—the friends of the people—the republicans, as they falsely called themselves, be set down in its true colours, and stand as a beacon to posterity to guard them

against putting their trust in professors of democracy.

In the first place, the act inflicted for an *intended* breach of the law a penalty six times the value of the property involved in that intended breach; having, in the second section, enacted that no owner of a coasting vessel should obtain a clearance till he had given bonds with one or more sureties, to reland the cargo in the United States, in the penalty of six times the value of the cargo. This alone must disqualify many, or rather most owners from sending their vessels to sea---and the worst of it was, that *on bare suspicion* of an intention to violate the embargo, the creatures of the Executive might refuse permission to any, and indeed every vessel to load.

Here was a discretionary, unlimited power, vested in the President and his officers to stop the coasting trade at their will and pleasure---a power of the most dangerous kind to the freedom of the country, as it set those officers above all law and controul, and as it might be made the instrument of enormous corruption.

It disgraced the country by holding out encouragement to the very worst part of civil society, informers; by holding out extravagant rewards to them to steal into and betray the confidence of unsuspecting persons.

It ordained that no vessel or boat employed in the navigation of rivers or bays should take in any loading without permission from a collector, and

bonds being given in the enormous sum of *three hundred dollars for each ton.*

It vested in the President, and even in the collector the absolute power of regulating the navigation of rivers and bays at their pleasure, and of refusing permission to our citizens to navigate them.

It cruelly and unjustly forbad the owners of vessels who might lose their cargoes at sea from giving in evidence against the infliction of the penalty, any unavoidable accident. Thus if a vessel having given bonds to six times the amount of her cargo should be obliged to throw part of the cargo overboard in order to save the lives of the people, the penalty would become forfeited, without the least fault on the part of the owner.

It exercised a most arbitrary and unwarrantable power over property, by laying such unreasonable restrictions upon the transfer of vessels, as in effect, to prohibit the sale of them; requiring of the seller, bonds to the enormous amount of three hundred dollars for every ton, that the vessel sold should not infringe the embargo laws: thus rendering the original owner responsible for the acts of every person in succession, into whose possession the vessel might be afterwards transferred, and over whose conduct it might be impossible for him to have any controul.

The details which Suetonius the historian has given of the atrocious tyranny of some of the Roman emperors have with difficulty been believed by many modern readers, though they stand upon

as firm a foundation as any other part of ancient history; because it appeared incredible that a people once great, independent, and jealous even to madness of their liberties, should submit to such unqualified, cruel despotism as he recounts of the Cæsars. So, that if there were not the enforcing act, and the subsequent facts connected with it standing on record to give in evidence along with the historian's assertion, posterity would be incredulous when told, that in a republic in which the ear was perpetually stunned with fulsome declamation in senates, legislative assemblies, caucusses and country meetings, and in orations from pulpits, stages, bulks, or brandy casks, and nothing could be heard from them but vain egotistical self-gratulations upon their greatness, their independence, their liberties, and their "rights of man," such a law as the enforcing act, and above all such a provision as the following, was made by the representatives of the people. Nor will posterity be surprised, that a people who could return such representatives, had continually inveighed against the despotism of Great Britain, and clung with congenial affection to the republican Bonaparte.

The provision alluded to is in the ninth section of the article, and gives to the collectors of ports, a power far greater than the crown of England possessed in the reigns of the Tudors, or Stuarts---a power which no despot that we read or know of in modern times before Bonaparte ever dared to assume.—Wading through the mires of tyranny of every species—the haughty and ferocious rule of temporal princes, and the subtle, sly,

monopolizing, and merciless rapacity of ecclesiastical despotism, up to the unlimited arbitrary sway of eastern sultans, and their pernicious vermin of Cadis, the advocates of that measure might fearlessly be defied to produce an instance of any power being exercised, greater than that which the *republican* Congress of America did in this instance vest in their hosts of custom-house officers. Prerogative over life and death excepted, it could not be greater, for it went to an arbitrary dominion over all that renders life desirable. It authorised those men, whose general corruption and venality may be fairly inferred from the very fact of their possessing those offices, to "seize produce, manufactures, OR SPE-"CIE in ships, vessels, boats, carts, waggons, "sleighs or other carriages, when they (the collectors) "HAD REASON TO BELIEVE the article "was intended for exportation; or when the ar-"ticle was *in any manner* APPARENTLY on its way "TOWARDS the territories of a foreign nation." On the plainest dictates of common sense, this clause was an act of despotism which no circumstance whatever could justify. But it was a more daring and vicious usurpation still, because it directly outraged that part of the Constitution which declares "That the rights of the people to be secure in "their persons, houses, papers *and effects* against "unreasonable searches and seizures shall not be "violated; and that no warrants shall issue but upon "probable cause supported by oath or affirmation, "and particularly describing the place to be searched, "and the persons or things to be seized." Whereas,

this enormous power—a power to be exercised at mere discretion, placed the personal property of the citizens, and in the execution of it, their papers, private concerns, and the very sanctuaries of their houses, within the rude grasp of a venal custom-house officer---and this authority was to be exercised without even the formality of an oath on which to ground it, or any written warrant; but merely upon the bare suspicion, or pretended suspicion of an officer who might be influenced by private interest or by personal malice to take undue advantage of that authority.

The gradual, but steady march of the President to despotic power, has been all along traced with as much accuracy as the complication of circumstances would allow. But it was by the enforcing a law the most bold and shameless strides were made to the object of the party. By the tenth section, Congress deposited in the President's hands a power oppressive, unconstitutional, and monarchially despotic. By it they actually transferred to him the legislative power; giving him authority to issue *private instructions* to the collectors respecting the execution of the act, and conferring on such instructions as it should please him to give, the effect of statutes, as being binding on courts of justice, and the force of general law, as being compulsory on the collectors who were bound to obey them.

Never was a greater insult offered to the common sense of a people, never a more gross violation of their right, never a more atrocious inroad upon

the most sacred principles of common law and equity than this. It had all the properties of, and seemed as if it were designed for, a trap. To obey a law and to escape the penalties of infringing it, the people must at least know what that law is. They must be apprised of their duties before they can be held responsible for their performance of them: for which reason the common laws of all countries have for ages forbid that men should be subjected to penalties for the breach of any but known public laws. But, as if Congress were intent upon compressing into this one abominable act, every violation of justice, right, statute law, common law---the laws of nature, of reason, and of common sense, as well as of feeling and humanity, they gave to this one man the power of issuing private laws, the penalties of which would be felt by the object of them, before he could be apprised of the meaning or even of the existence of the laws themselves.

Here the historian, however, desirous of exposing the turpitude of the factio, nand the pernicious nature of democratic bodies, might rest; since a specimen has already been given, sufficient to silence the voice of democracy for ever; and he should be glad here to pause and turn away from the contemplation of a subject so afflicting, so mortifying, so disgraceful. But imperial truth, whose mandates he is bound to obey, and from whose dictates it is not permitted to him to shrink, till the whole shall be proclaimed to the world, has ordained him to state that there yet remains of this act one section to be recorded, which greatly surpasses the other for the despotism of its

character, for the dangerous tendency of its enactments—for audacious violation of the Constitution, and above all for the undisguised and impudent manifestation of its purposes, of which barely to say that they were suspicious would be greatly to underrate their malignity.

By the eleventh section the Congress of the general Union usurping an authority which the Constitution has refused to them, and in direct violation of the reserved rights of each of the several and respective States which secured to them the appointment each of its militia officers and the controul over its own militia, except in cases of actual insurrection or invasion, placed the whole military and naval power under the immediate command of the President, or *any person by him empowered for the purpose*---not to quell insurrections or repel invasion---but to enforce this atrocious act. And, as if it had been intended to abrogate and sweep away from the country every vestige of judicial authority, this power was permitted to be exercised without any warrant from a Magistrate, or any interference of the civil authority.---Thus did Democracy come at last to its accustomed never failing goal, and in this, as in every other country in which the fiend ever has been let loose, end its career in trampling or endeavouring to trample the civil authority under its feet, and to erect a military despotism upon the ruins of the country. Thus it was, and successfully thus, in France; and as it was in France so it would have been in this country, if our demagogue-general had to the art of cajoling the people out of popularity, like the Satanic demagogue

and despot of Europe added, "*the art of conciliating the soldiery, and possessed the true spirit of command, or had been one whom armies would obey on his personal account.*"*---Had Mr. Jefferson been that patriot he pretended to be, he would have refused to give his assent to such a liberticide act; had his host of minions in Congress but been as true to their

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* These words are taken from Edmund Burke's astonishing prediction, which has been so perfectly verified by Bonaparte.

In the year 1790, two years before the murder of the king of France, Burke wrote his Reflections on the Revolution, which now turns out to be a string of prophecies from end to end---the result, not of inspiration, but of extraordinary powers of ratiocination working upon great experience and an unexampled knowledge of the human heart. After tracing up the revolution progressively through the consequences to be expected from it, he delivers the following prediction.

"In the weakness of one kind of authority, and in the fluctua-
"tion of all, the officers of your army will remain for some time
"mutinous, and full of faction, until *some popular general who*
"*understands the art of conciliating the soldiery, and who possess-*
"*es the true spirit of command shall draw the eyes of all men*
"*upon himself. Armies will obey him on his personal account.*
"There is no other way of securing military obedience in this state
"of things. But, *the moment in which that event shall happen,*
"*the person who really commands your army is your master,*
"the master of your king---the master of your assembly---
"*the master of your whole republic.*" See Burke's Works. 4to. edit. vol. 3. p. 286.

The precision of this foresight must astonish the reader---Bonaparte was not then thought of---he had not then even applied to Sir Gilbert Elliott, Governor of Corsica for a commission in the British service and been refused. Even Dumourier had not then been thought of.

country as their cheated constituents thought them, they would have impeached the magistrate who desired such powers; they would not all, President, and Senate, and Representatives, confederating together, perfidiously grasp at the disorder which they themselves had occasioned, to make it an instrument of their own elevation to despotic power, or take advantage of the danger of the country and the public apprehensions, irritation and alarm, to deposit and establish unlimited power in a purposed usurper, or to rivet the chains of slavery on their fellow-citizens.

The ends of a guilty ambition being once proposed, weak, immoral and irreligious men soon reconcile themselves to the means of attaining them. The mind once let unbridled into the course of appetite, overleaps small impediments at first, and then gradually gets into the habit of flying over greater. Wishes swell into hopes---hopes into resolves---resolves into obstinate determinations.---By a very natural transition, that which is determined on, soon assumes the prerogatives of necessity; and on its appearing necessary to be done, the means must be provided. Under the specious pretence of necessity, criminal means are first tolerated, and being once tolerated are afterwards preferred. Thus it is with the minions and devotees of democracy. From the beginning their purposes are evil and their means are deception and imposture. The criminality of the means seem to them to be sanctioned by the magnitude of the ends; and they proceed from step to step in guilt, till a total insensibility to the moral distinc-

tions succeeds, and they sin without thinking their conduct criminal. This is the course of weak minds and corrupt hearts. The declension of our democrats from the insurgent licentiousness with which they disturbed the repose and destroyed the morals of the Union during the administrations of Washington and Adams, into the condition of wilful tyrants over their fellow-citizens, and of vassals of Bonaparte was therefore sufficiently natural; and though it may have surprised the unthinking multitude whom they deceived, is precisely that which every man of common sense, versed in the history of the human race, would expect from them. That miserable gull the sovereign people quietly stands for this end of the net to be drawn over it, while it sees that of Europe fluttering under the other.

Great Britain, however, was not altogether so easy a conquest as Bonaparte promised himself, or Mr. Jefferson and his faction probably expected, and most certainly wished. Her intrinsic force seemed to render it at least doubtful in the minds of those good persons whether she would ever sink, so far as to leave Bonaparte great lord and master of the whole world; a circumstance unquestionably devoutly wished by every member of his legion of honour.* If indeed there were a certainty of Great Britain's falling, then the course for Mr. Jefferson would be

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* Very severe animadversions have been made upon Mr. Jefferson, the Chief Magistrate of this mighty potent nation--who was such a furious republican,--and so intolerant of the

clear, and no measures ought to be held with her;---no, not even common civility. But that was hypothetical, and therefore prudence directed him that as she might fall, a proper distance ought to be preserved. What then was to be done but endeavour to keep up appearances both with Britain and Bonaparte, till some decisive blow should be struck---and this was no easy matter, because the Corsican was furious and peremptory, and most probably had it in his power, in the event of his being disappointed, to divulge most terrible secrets, which he certainly would, if once provoked to break out in the language of crimination.† In this dilemma it occurred to our honourable Executive that the mildness, the magnanimity and placable temper of the British government might be dealt with in a way to answer present purposes, and that by dextrous management, a hostile attitude might be presented to Great Britain without actual war, so as to keep Bonaparte in temper; and a partial disposition, and even active help in a clandestine way, be afforded to the tyrant, without any open alliance with him or breach of neutrality with Great Britain. The presidential member of Bonaparte's LEGION OF HONOUR, therefore, condescended to

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rule of George III. that he threw it off, and ever since has cordially hated him, should enter into a state of subserviency as *Body Guard* to an unlimited monarch. But George was only king of England; Bonaparte was to be tyrant of the whole world.---How many footmen leave their honest stations to join a band of robbers, by way of being independent, the Newgate Calendar will tell.

† I venture to predict that this will yet be the case.

keep up the farce of negotiation with the British ministers, in order to amuse the parties on both sides---but in order to avoid giving offence, and to take security against the imputation of disloyalty to his sovereign as a member of the LEGION OF HONOUR, our packets, our messengers and our executive instructions were to take France in their way to Britain, and first to inhale the air of the Thuilleries. The British minister, as well from this as from the mean evasion and insincerity displayed to Mr. Rose, and the duplicity and cunning that marked the whole diplomatic conduct of our cabinet, resolved to parry them in their own art, and with great ability and good temper foiled them in every effort, excepting in that of their gaining time. While this Fabian policy was going on, the people of America were made to believe that their ambassador was urging on matters to a conclusion with all possible vigour---and that it was the unreasonableness and obstinacy of the British government alone that presented obstacles in the way of a fair and honourable adjustment. Vessels were dispatched to Europe, which, after calling in France, were to call in England---and their return brought only disappointment to the hopes of the people here, and indeed could not do otherwise, since they carried no instructions---no, not a word---to England. This, the negotiating minister, Mr. Canning, declared in Parliament, and adverted to in his correspondence with Mr. Pinckney. A garbled account of that correspondence was first laid before Congress---but in some way unknown, a letter from Mr. Canning to Mr. Pinckney, of the most interesting nature, made

its appearance in the public prints in this country---and after having been denounced by the democratic prints as a forgery, at length came forth reluctantly with the authority of our government for its genuine character.

Pending this semblance of negotiation, a great revolution took place in the sentiments of the American people. The delusive charms of their wild and wayward speculations began to vanish and melt away from the sight before the more clear light of plain common sense, pressed upon them by bitter experience. The pernicious effects of the embargo upon private interest awakened them from the feverish, political dream in which they had been raving, bewildered with incoherent visions. They looked back with astonishment and affright---they steadily investigated the conduct of their general government, in which they discovered that all that was not purposely delusive was chimerical, and all that was not chimerical was corrupt;---that the whole was pernicious;---and finally, that the Union had been brought almost to ruin, certainly to perfect and complete disgrace---and they resolved to retrace their steps. During this process a circumstance occurred which greatly contributed to open their eyes and to animate them in the new course they had resolved thenceforward to run.

In the annals of the world, the revolution in Spain will in after ages hold a lofty preëminence above all others which have happened in the world. The Spanish people had for centuries rode foremost in the ring of honour and heroism. Their armies stood

supreme in war---their cavaliers were celebrated for preëminent martial gallantry and military renown---and their national spirit was the admiration of the world. By an unlucky coincidence of internal and external causes, the nation sunk in power and repute, and those which were at one time below her, had now grown over her, in great superiority. From the time of the accession of the Bourbon dynasty to the crown of Spain, the great support at once of the throne and of the nation, the nobility, were systematically excluded from all participation in affairs of State, and rendered incapable of making their virtue and their wisdom, of which no body of nobility in Europe had more, serviceable to their country. Hence that gallant and glorious nation lost all the use, while they continued to suffer the abuse of their nobles. In this state the body could scarcely be considered as existing in its corporate capacity, having neither the power nor the influence to aid or to controul the crown: except when joining popular insurrections, they degenerated from their lofty character, and became members of insurgent mobs. Thus gradually deteriorated, the nation at last was governed wholly by a very weak monarch, who on his part was governed wholly by a most wicked, corrupt and profligate minister, under whose ascendancy the king entered first into an alliance with Bonaparte, and by whose treachery he was sold over and betrayed into a formal surrender of his kingdom to his eldest son.—The new king not being so tractable as his father, the latter was obliged by Bonaparte to make a resumption of his crown, for the purpose of transfer-

ring it to that usurper. On this subject disputes arose, and under pretence of settling those disputes it was proposed by the minister, the infamous Godoy, and by them agreed to, that the Royal Family should meet Bonaparte at Bayonne in France. There the robber and tyrant met them, and there he arrested them, held them prisoners, and compelled them under the terror of death, to transfer to him the crown and people of Spain.

The inconsiderate part of mankind had by this time been so habituated to look with admiration and even complacence on the enormities of this monster, because they were successful, that they regarded this with no great disapprobation, but rather looked upon it as an act that had something very clever and spirited in it, and there were but few who lamented, as the thing deserved, such an unexampled act of perfidy, fraud and villany—such a dangerous precedent of usurpation—such a pernicious example of the worst species of vice, seated by its intrinsic criminality in the highest order of human existence, an incitement at once, and a warrant for the indulgence of the worst crimes in others. Few there were, even among us republicans, who, at the time, sympathized with that noble people, stolen and transferred like a flock of cattle from the protection of an old sovereign to be the property of another, a stranger and an alien to their country and their hearts. The thing was big with important instruction, and some endeavoured to turn it to that use, by warning the people of America of the danger of touching Bonaparte in amity, and of the folly of trusting to a popular idol, to

a PRINCE OF PEACE---to a GODOY. The majority, that is to say the democratic party, rejoiced in it. It was a revolution---to them a great recommendation, but it was still better, it was the will of Bonaparte---it gave Portugal, all Europe, the world itself to Bonaparte, and it would ultimately they hoped, shut up the ports of all the world against the commerce of Great Britain.

But while those hell-hounds were exulting and luxuriating in all those horrible appearances, suddenly the scene shifted, and an event the most felicitous and cheering to every honest heart was announced all over Europe. The Spaniards rose against the French, simultaneously, in all quarters of Spain and cut them off, or drove them to take refuge in flight out of the country or in walled towns---took possession of the fleet lying at Cadiz, and of Cadiz itself, and in a word, so instantaneously and vigorously asserted their rights, that Spain was in a very short time in the exclusive possession of its rightful owners.

Here was an event which might reasonably be expected to cause rejoicing and thanksgiving in every independent nation---in every freeman's bosom---in every heart not blackened by corrupt association with Bonaparte---not utterly devoted to the enemy of mankind, to the earthly Satan and his will. It was thought that in every part of America Io Pæans would be incessantly sung for an event which promised to rescue a brave people from the gripe of usurped despotism; that the remembrance of their own intole-

rance under an infinitely inferior state of oppression, and of the hard struggle they maintained to shake their oppressor off, would have excited a general sympathy with the brave Spaniards. It was expected, that more particularly that party which took such an anxious interest in the emancipation of Ireland from its supposed thraldom, and were so tremblingly and sorely alive to the cause of freedom, that they lamented the ENSLAVED STATE OF GREAT BRITAIN herself, and prayed, in their own way, for the emancipation of that country, for which, in the fullness of their native benevolence, they would with joy contemplate and would with christian patience endure *to hear of* all the horrors and bloodshed of a revolution in England.---Above all, it was expected that Mr. Jefferson---he whose paper while he was writing his first message to Congress, was blurred with the tears of sympathetic affliction which trickled down his nose as he pleaded the cause of OPPRESSED HUMANITY; and along with him, his whole corps of *Rights of Man's men* would have been almost frantic with joy, at this most glorious event. Here there was every thing to recommend an enterprise. The cause of a people's rights, asserted against a tyrant, the very worst tyrant too that ever cursed mankind. "It is on-"ly"---said this party at one time---"it is only for a "nation to will to be free, and it is free." Here the nation did will it, as one mind---it was not the work of a cabal---it was not the result of a division in the people, and of one side dragooning the other into submission ---it was not the effect of chicane or political machination; no, it was the unanimous will and desire of

every being in a wide extended nation, inhabited by many millions. Without preconcerting or consulting, without the possibility of communication, but as if by an impulse from on high, the whole people burst forth in one explosion as simultaneous as it was sudden, and as irresistible too, as a mine after the train to it has been fired. But to this the faction was worse than insensible. The public prints in its interests, inveighed against the folly of resistance on the part of the Spanish people. Day after day, those pests predicted the destruction of the Spaniards by Bonaparte, stifled every suggestion in their favour, were silent on the subject of their successes, and trumpeted aloud every little check they received with malicious exultation. Even the poor miserables who walked the streets and talked in ale-houses and gin-shops, the very united Irishmen themselves, reeking fresh from the sanguinary excesses of rebellion, did all they could, and laid wagers of grog against the Spaniards. In Congress the democratic members, instead of speaking like assertors of freedom, pronounced the final destruction of the Spaniards, and one, whom it would be a libel on humanity to call human, with exultation said, (from his speaking so much about *hurling* that day, it is likely he was an United Irishman turned into a *native** by Mr. Jefferson,) "Bonaparte has before "this, *hurled* the Spanish and English armies into "destruction." In a word, it is very doubtful whether the same persons during our revolutionary

* The low Irish often say "Mr. Jefferson, God bless his "honour, turned us into natives!"

struggle felt more sorrow for the victories or successes of the English than they now did for those of the Spanish patriots---whether they rejoiced more unfeignedly and heartily at the success of Washington or Greene than they did at those of Bonaparte, or were more delighted at the surrender of Burgoyne's army, or of York-Town to our armies, than they would be to hear of the total defeat of the Spanish armies and the surrender of the crown and people of Spain to Joseph Bonaparte.

It was expected that the President in his first message to Congress, would have displayed his talents in a glowing eulogy, or that he would have called forth his whole mob of tropes and metaphors, to swell the tumult of applause, and once in his life to pray for blessings on those brave and successful defenders of their rights, but how greatly, how shamefully, those who expected it, were disappointed, that message shall proclaim to posterity. "They "ought to be written in letters of gold," is the common place eulogy of sentiments which are so noble and valuable that they ought to be recorded durably, and with the greatest possible honour. History will be at a loss to imagine materials of which to compose the letters that are to damn to everlasting fame that ignominious part of Mr. Jefferson's message. In a word, the Spanish patriots and their cause had rancorous and implacable enemies, in a great number of the democrats, in every jacobin, and in every man of the French faction in America. Hence may be derived one rule, that may be of advantage ; and it is this.—As sure as ever a man is seen hostile to

the Spanish patriots affectedly doubtful of their cause, or even cold and indifferent about their success, that man may without hesitation be set down as an incurable jacobin.

It is afflicting to think, because it is disgraceful to human nature, if it be true, that the obstinate continuance of the embargo is attributed to a clandestine coöperation with Bonaparte against the Spaniards. There was a time when no one would believe it---but too much has been witnessed by those who now live, for the greatest possible enormities to be any longer deemed incredible.

This obvious, unnatural leaning to a cruel tyrant against an injured, oppressed, and gallant nation of patriots, did not fail to produce a very happy effect upon a numerous class of those that made up the democratic party---coupled with the base subserviency of our councils, the clandestine payment of tribute and the general submission of our Executive to Bonaparte, it betrayed at least a wicked partiality to that despot which the people in most parts of the Union took up with spirit, and upon which they animadverted with great severity.

As the New-England States were most deeply affected by the embargo, they were the most early and the most zealous in their remonstrances against it. By the customary modes of Executive operation Massachusetts had been democratized, and Connecticut alone had the honour---nor will it ever be forgotten---of unalterably maintaining her principles inviolate and uncorrupted.

In the general tempest of democracy, Massachusetts for a time was carried before it---but on the appearance of the embargo, she, like a vessel that suddenly discovers breakers ahead, put about ship, and turning her stern to democracy, got into her wonted course. In that emporium of liberty, Boston, the people finding not only that their trade was stopt, but their State and people publicly insulted by the Executive, they lost no time in coming to resolutions calculated to provide for their relief and safety. The people met; but being wisely determined not to submit the arbitrament of their important cause to mere popular meetings, the rights of which might be questioned, and their interference hazardous, they called upon the selectmen to convene a regular meeting of the people, and those passed resolutions stating the dangerous and deplorable state of the country, and addressed the Assembly, throwing themselves, their State, and their cause, upon their own State Legislature. The Legislature accordingly came to a number of resolutions which displayed no less moderation and wisdom, than spirit and firmness. In answer to a speech of the Lieutenant-Governor in which he endeavoured to palliate the conduct of the supreme government, to justify the embargo, and to suppress as far as possible any opposition to that measure, the House of Representatives expressed their sentiments in the most unqualified manner.

"It cannot be denied (said they) that jealousy and distrust have arisen among the people of Massachusetts, and much is it to be regretted that they

have been so well founded. A system of policy ruinous to their interests and uncongenial to their enterprising spirit---a system for which the administration has as yet, in our opinion, assigned no adequate reason, has borne most heavily and unequally on the northern and commercial States. For relief from this oppression the people fondly looked to the meeting of Congress; but alas! how fatally have their hopes been blasted! Their humble prayers have been answered by an act so arbitrary and oppressive, that it violates the first principles of civil liberty, and the fundamental provisions of the Constitution. At such a moment, and under such a pressure, when every thing which freemen hold dear is at stake, it cannot be expected, and it ought not to be wished that they should suffer in silence. The House of Representatives cannot admit that laws which operate unequally are unavoidable. The government, in their opinion, has no right to sacrifice the interests of one section of the Union to the prejudices, partialities, or convenience of another."

The Lieutenant-Governor having said that there was a certain stage of every act at which its constitutionality ought not to be discussed—they all then replied:

"We cannot agree with your honour, that in a free country there is any stage at which the constitutionality of an act may no longer be open to discussion and debate; at least it is only upon the high road to despotism that such stages can be found.

"At such a point, the government undertaking to extend its powers beyond the limits of the Constitution degenerates into tyranny.---The people, if temperate and firm, will, we confidently rely, eventually triumph over such usurpations.

"Were it true, that the measures of government once passed into an act, the constitutionality, of that act is stamped with the seal of infallibility and is no longer a subject for the deliberation or remonstrance of the citizen, to what monstrous lengths might not an arbitrary and tyrannical administration carry its power. It has only to pass through rapid readings and midnight sessions, without allowing time for reflection and debate, to the final enacting of a bill, and before the people are even informed of the intentions of their rulers, their chains are riveted, and the right of complaint denied them. Were such a doctrine sound, what species of oppression might not be inflicted on the prostrate liberties of our country. If such a doctrine were true, our Constitution would be nothing but a name---nay, worse, a fatal instrument to sanctify oppression, and legalize the tyranny which inflicts it."

To an insinuation that a secession was contemplated through the Union they said:

"We are unwilling to believe that any division of sentiment can exist between the New-England States, or their inhabitants, as to the obvious infringement of rights secured to them by the Constitution of the United States;---and still more so, that any man can be weak or wicked enough to con-

strue a disposition to support that Constitution and preserve the Union, by a temperate and firm opposition to acts which are repugnant to the first principles and purposes of both, into a wish to secede from the States. If a secession has been conceived by the States or people referred to in your honour's communication, it is unknown to the House of Representatives, who absolutely disclaim any participation therein, or having afforded the least colour for such a change. If ever such suspicions existed, they can have arisen only in the minds of those who must be sensible that they had adopted, and were persisting in, measures which had driven the people to desperation, by infringing rights which the citizens of Massachusetts conceive to be unalienable, and which they fondly hoped had been inviolably secured to them by the federal compact.

"Nothing but madness or imbecility could put at hazard the existence of a balanced government, capable of operating and providing for the public good, unless the administration of that government by its arbitrary impositions had endangered or destroyed the very objects for the protection of which it had been instituted.

"The Legislature and people of Massachusetts ever have been, and now are, firmly and sincerely attached to the union of the States, and there is no sacrifice they have not been, and are not now, willing to submit to, in order to preserve the same, according to its original purpose. Of this truth your

honour must be convinced. We do not appeal to the unvarying conduct of our citizens during the glorious administrations of Washington and Adams, when the patriotic endeavours of our statesmen, under the most perplexing embarrassments, pursued and secured the interests and honour of the nation;---but we can appeal to the patience with which our fellow-citizens have borne the administration of those, whose boast it has been to proscribe all the measures of their predecessors and most of the men whose talents and virtues had assisted in securing to the United States the blessings of a free government. The people in this section of the country had undoubtedly flattered themselves, that the liberal confidence which they had afforded to the professions of their rulers would induce a regard to their interests, and when experience had shewn the incompetency of their measures to the honour and safety of the country, they would have had the magnanimity to correct their errors. It ought not to be matter of surprise that men who either on the floor of Congress or elsewhere, have adopted measures hostile to the Union and subversive of its principles, should endeavour to brand with the calumny you mention the efforts of those who sincerely aim at preserving the Constitution, by demonstrating the tendency of their acts, and who studiously exert themselves to prevent a dissolution of the federal compact, by stating the dangers of such an event---an event which this House cannot fail to deprecate as the greatest of evils, and to prevent which they will leave no constitutional

means unessayed. But it would be greatly to be deplored, if any thing in your honour's address could be construed into a sanction, by the Chief Magistrate of this Commonwealth, of a charge so unfounded and a slander so unmerited."

The following is well worth particular observation, as containing a severe, but just, satire on Mr. Jefferson.

" We are perfectly aware that 'misrepresentations, 'groundless suspicions, violent and indiscriminate 'abuse,' are the rank weeds of a free government and an unrestricted press. Perhaps no country has afforded more fatal examples of such misrepresentations than our own. It is by the use of such means that factious and designing men always rise to power. *The instructive page* of history is crouded with examples. In some countries we have seen *political partisans clandestinely supporting these vehicles of slander and calumny;---by their agency blackening the reputation of a meritorious and successful rival, for whom in the face of the world they professed the greatest personal consideration and respect.*"

The Lieutenant Governor indiscriminately speaking of the aggressions of France and England, the Representatives reply :

" The House of Representatives agree in sentiment with your honour, that 'it cannot be neces-'sary to review in detail the continued and aggra-'vated insults and injuries which have been heaped 'upon us by the warring powers of Europe;' yet it may not be improper to remark, that when a go-

vernment, in the first instance, from an overweening partiality to one power, an undue prejudice against another, or a timid and pusillanimous policy towards all nations, surrenders essential rights without a struggle, the nation over which it rules becomes the victim of aggression from without and of imposition from within. The partial developement of public documents is but too conclusive on this point.

"And most certainly the policy and capacity of that administration may be questioned, which in a few days has reduced this great, active and enterprising nation from an unexampled heighth of commercial prosperity, to comparative poverty and idleness.---Assuredly that administration which meets aggression only with retirement and non-intercourse laws, never can acquire the confidence of a commercial people, and never will afford any security against violence, injustice and depredation. To the present administration is the country indebted for a system of measures as novel as it is imbecile, as weak against foreign nations as it is oppressive and ruinous to our own.

"Whence comes it that from a state of the most flourishing prosperity a few months should have produced a change so truly astonishing? It is not in the restless and unsteady habits of a people, till lately contented and happy, that we look for the causes of these frightful calamities; it is the pernicious and dreadful consequences of the shallow system of embargo and non-intercourse, that we

shall find the fruitful source of our country's ruin.

"Upon this occasion it may not be deemed improper to observe, that from the scanty information which has been suffered to escape, they cannot discern in the situation of our foreign relations, any difficulties or embarrassments which have not heretofore been successfully encountered by former administrations of our government. During the administration of Washington and Adams, circumstances of much greater political embarrassment were met with a steady eye, and firm and vigorous purpose. Negotiations with both the great contending powers of Europe were commenced, and by a steady adherence to the just rights of our nation, with an active preparation to use force, when negotiation failed, the patriots of that day successfully repelled every unjust pretension, while they preserved the honour as well as resources and property of their fellow-citizens. The House of Representatives therefore cannot doubt that the same measures resorted to with the same spirit and good faith, would affect now what they did then, the protection, instead of the annihilation, of our commerce---the preservation, instead of abandonment, of the nation's honour."

Respecting the conduct of the Executive the Legislature of Massachussetts was no less severe on another occasion, in the beginning of February, 1809. During the preceding sessions one of the creatures of Mr. Jefferson---a Mr. Crowninshield, proposed certain resolutions to the effect that "the British or-

ders and Napoleon's decree were violations of the neutral rights of the United States and as such ought to be resisted if not removed.---And that if it were necessary to resist them, the Commonwealth of Massachussetts would rally round the standard of Government."---These were referred to a committee of the House which made a report upon them, and in that report very freely delivered their sentiments respecting the conduct of the Executive---from that report the following paragraphs are selected. They prove the authenticity of certain statements made in the preceding pages.

The committee state that, "the House could not rely *on the partial information, which is allowed to escape from the Executive cabinet*, much less, on that diminished portion, with which the citizens or Legislature of Massachussetts are deemed worthy to be entrusted from *the secret sessions of Congress*, for the correctness of any opinion, they might form on so important a matter. Influenced by the limited information, with which the government of the Union, has seen fit to indulge the public, some persons might be induced to adopt the sense of the first resolution, and conclude, that both nations, therein mentioned had at the same time, with equal wantonness, and like disregard of our rights and their duties, enacted the offensive decrees and orders---that the same measure of opposition, to both nations, was alike required by the dignity and interests of the United States, and would be attended with similar effects---whereas a complete understanding of the conduct of our government towards these nations, and

of our relations to each of them, with the grounds or pretence for passing their several decrees and orders, might lead to a different result, in the minds of men, who endeavoured only to arrive at a correct, and impartial judgment."

They further state, that "while the committee entertain no doubt on the soundness of the above reason, for the opinion they have offered on the expediency of adopting the proposed resolutions, yet, as from the language of the same, it would appear to be the sense of the mover, that the same motives and causes produced, from both foreign nations, the decrees and orders complained of, it may be advisable, to state such information, both as to the dates of the several decrees and orders, as well as to the alleged grounds of passing the same, as have come to the knowledge of your committee.---It is also, important, that the House should be possessed of whatever information can be procured, on a business so interesting to them and which is made a pretence for the deep and universal calamities, which the government of the United States has seen fit to inflict on the citizens---calamities, which press with peculiar and aggravated distress, on the good people of Massachusetts.

"It will readily be conceived (say they) that the decrees and orders, intended by these resolutions, are that of France, promulgated at Berlin, the 21st November, 1806, and the orders of Great Britain, passed at London, on the 11th of November, 1807.

"The French decree declares that the British Islands, their colonies and dependencies should be con-

sidered, as in a state of blockade---that all trade in British goods should be prohibited, and that all vessels, with their cargoes, sailing to or from Great Britain, or having on board cargoes of British origin, should be subject to seizure and confiscation. On the 31st December, 1806, certain commissioners, of the British government, having then just concluded a treaty with a Minister of the United States, which treaty was never submitted to the Senate, for their advisement, by direction of their government presented a memorial to the American Minister, in which it was distinctly declared, that "if the enemy" (referring to the Emperor of France, and the decree of November, 1806) "should carry his threats into execution, and if neutral nations should, contrary to all expectation, acquiesce in such usurpations, his Majesty might probably be compelled, however, reluctantly, to retaliate in his own just defence, and to issue orders to his cruisers, to adopt, towards the neutrals, any hostile system to which those neutrals should have submitted from his enemies." In the month of January, 1807, his Britannic Majesty issued an order for preventing all commerce from port to port of his enemies, comprehending in said order, not only the ports of France, but those of other nations, as, either in alliance with France, or subject to her dominion, have, by measures of active offence, or by the exclusion of British ships, taken a part in the present war. In the letter which accompanied the communication of this order to the Secretary of State of the United States, this order is stated, by the British Minister, to be authorised, by the acknow-

ledged principles of the law of nations, and to have been induced, by a knowledge on the part of the British government, that the measures announced, by the decree of the French government of the 21st November, 1806, had already, in some instances, been carried into execution, by the privateers of his enemy.

"The pretensions of the Emperor of France, that his decrees were a retaliation on Great Britain, for similar violations of the laws of nations, previously committed by her, upon the commerce of neutral nations, could never be admitted as true in fact, or if true, as just in principle, in regard to the United States.

"The principle said to have been assumed by Great Britain, in 1756, has been pressed into the service of those who are desirous to find an apology, if not a justification of every outrage committed by France, although adopted in the early part of the last war, was so modified, as to afford no cause of complaint to the United States during the last years of that contest, and it is believed, that a similar temper of accommodation has been manifested by the same power towards the United States in the present war.

"While it has been said "that Great Britain is the only nation that has acted upon or otherwise given a sanction to it," the edicts of France, from 1704, to the present day, with but small intervals of deviation either in principle or practice, declare the reverse.

"The decrees of France in 1704, and 1744, declare all goods of the growth or fabric of an enemy's

country liable to confiscation, unless bound from an *enemy's port* direct to the *port of the neutral owner.* An ordonnance by the court of France, delivered to the States General of the United Provinces, and published by authority in the Utrecht Gazette, July, 1756, declares, if any Dutch ships carry any manufacture of the enemies of France they shall be esteemed good prize, but the ships shall be discharged. On the 9th of May, A. D. 1793, France authorised the capture of neutral vessels laden with provisions, belonging to neutrals, but bound to enemy's ports. This decree was prior by one month to the order of Great Britain of similar import. On the 23d of the same month she declared it should not extend to American vessels, which latter decree she repealed, on the 28th of the same month of May, and the first remained in force. On the 1st July she again decreed as on the 23d of May. Twenty-seven days afterwards, this decree was repealed, and that of the 9th of May, remained in force until the 4th January, 1795. On the 27th November, 1796, the French commissioners at Cape Francois, authorised the capture of all American vessels bound to or from English ports. February 1st, 1797, commissioners at Cape Francois ordered the capture of all vessels, bound to any ports in the West-Indies, delivered up to the English, and all vessels, cleared out generally for the West-Indies.

" In January, 1797, France declared that the condition of ships in every thing which concerns their character as neutrals or enemies, shall be determined by their cargoes, and every vessel found at sea, laden

in whole or in part with merchandize, coming out of England, or its possessions, shall be declared good prizes whoever may be the proprietors of such commodities or merchandize, and this decree is founded expressly on the ordonnance of 1704.

It is therefore an incontrovertible truth, that France from the earliest time, and certainly prior to the year 1756, has adopted, in principle, and in practice, broader rules for limiting the commerce of neutrals and condemning their property, and with fewer and shorter intervals of regard to their rights, than has been assumed by her enemy, and of course could, on no ground be justified by the pretence, that the decree of November, 1806, and the subsequent one of Milan, condemning the property of neutrals, because the vessels had been spoken with by British cruisers, were a retaliation for similar violations of public law by her foe.

"The American Minister at Paris, in the month of December, 1806, requested of the French Minister of Marine, an explanation of the decree of the 21st of November, preceding, and was answered that "an American vessel could not be taken, at sea, for the mere reason that she was going to or coming from a port of England." The French Minister of Marine, however, advised the American Minister, that it was proper, that he should "communicate with the Minister of Exterior Relations, as to what concerned the correspondence of the citizens of the United States of America with England." Another article declaring all merchandize belonging to England, or coming from its manufactories, or colonies, though

belonging to neutrals, liable to seizure, was to be carried into execution. This it seems was to be acquiesced in by the American government, if to operate only in the ports of France, as conformable to public law, although in direct contravention to the stipulations of an existing treaty between the United States and the Emperor of France.

" Notwithstanding the hopes that were indulged, by the American government, in conesquence of the reply of the French Minister, it appears from a letter of Mr. Madison to General Armstrong, that, as early as May, 1807, it was known in the United States, that the French privateers in the West-Indies had, in virtue of the edict of November, 1806, committed depredations on the American commerce—and in October, 1807, an American ship called the Horizon, bound from Great Britain to Lima, having been wrecked within the territorial jurisdiction of France, was finally condemned, under the French decree of November, 1806.

" If any doubt ever existed as to the intentions of France, to execute this decree against the United States, it must have been removed, after the conduct of her cruizers in the spring of 1807.---Her condemnation of the Horizon, in the following October, left not the smallest pretence for questioning, that her violence and injustice would be limited only by her power.

" The second resolve proposed, assumes as a fact that the measures adopted by the Congress of the United States, in the last year, which were the acts imposing an embargo on the trade of her citizens, were measures of resistance against France and Great

Britain.---An assumption, which would be scarcely decent for this Legislature to adopt, when the President has pledged his word, which ought to be sacred, to both these nations, that they were not measures of hostility, as appears from the letter of the Secretary of State to the Minister of the United States at the court of France, under the date of February 8, 1808, and by a similar letter to our Minister at the court of London, under date of December, 23, 1807.

"And surely the Legislature of Massachusetts would be altogether unmindful of its duties should they attempt to pledge the people of this commonwealth to sanction any measures, the Congress might see fit to adopt, after the fatal experience of their measures for the last year---measures which, however intended, have produced only distress and wretchedness at home, disgrace and degradation of our national character abroad."

The flame spread from Massachusetts to Connecticut, where resolutions of great energy and propriety were passed; thence to the State of New-York, and now it distinctly appeared that the universal voice of the people was against the embargo. But the impostors who had raised themselves to power, by paying the most fulsome, adulatory, and pernicious homage to the people, and the most servile deference to the opinions of the multitude, having now got all they could hope to get by their duplicity, turned round upon the people, bid them defiance, disclaimed all obligation to be guided by them, and, without the least regard to justice, to feeling, or even to decency, persisted in the same malignant policy. At length things ap-

peared to be too awful for them. They began to give way; detections thickened round them. In the elections for the General Congress, as for the State Legislature, the federal interest prevailed; and though, from the nature of the Constitution, the election of President fell to the democratic interest, and of course a notorious democrat was returned, the people at large had the consolation to think, that in the next Congress there would be, both in the Senate and House of Representatives, a majority of honest men. Mean time the repeal of the embargo was urged, and the creatures of the Executive were fain to confess that it had not answered the purpose for which it was intended: Yet, though they would have been glad to get rid of it, and though they heard from all parts of the Union, and were assured by numerous petitions that it was tearing up the prosperity of the country by the roots, they wanted the virtue and the magnanimity to repeal it. As people who labour under the consciousness of having acted wickedly, are stupified by their fears when they find the ruins of their works ready to fall upon their heads, the Executive partisans became confounded and bewildered, and were rendered incompetent to their own relief by stupefaction and dismay. They fluctuated in their counsels; they knew not what to do, while they were convinced that something ought to be done. The proceedings of Congress partook more of the nature of a school-boy's tumult, or of a rehearsal in a barn by country strollers, than of that of our august Legislative Assembly. Every week brought forth and buried again some new expedient; and the majority

seemed reduced to the melancholy condition of Don Juan, in the scene of his catastrophe; which ever way they turned to escape destruction, their fiery fate met them, and stopt their passage. These various experiments, however, opened the way to important discussions, by which the country was furnished with much information, and delighted with some admirable specimens of genuine eloquence and patriotism. Mr. Goodrich, Mr. Quincy, and Mr. Gardenier, distinguished themselves; and if a character already covered with all the glories which vast and comprehensive wisdom, inflexible patriotism, unbounded integrity, matured experience, and consequent knowledge, beyond the reach of most men, and the reputation of efficient fidelity, acquired by a long, well-spent life of public utility and private worth, could derive any new lustre from the employment of solid eloquence in the cause of an abused people, that lustre would have been acquired during the discussions of the embargo, by Mr. Timothy Pickering.

In the course of these debates, the negotiation, as carried on with the British cabinet, was fully discussed, and the clearest lights which the documents then before the public could afford, were thrown upon it, particularly by Mr. Gardenier, of New-York; and from those lights it appeared, that in those negotiations, our ministers displayed much cunning, evasion, and duplicity. The correspondence between the American minister and Mr. Canning, the British negotiator, was analyzed, and the result was such as could not fail to give deep concern to every American

of generous feeling and honourable principle. Before entering upon the circumstances of that extraordinary affair, it will be useful to premise, that the object of our administration in negotiating, or rather putting on the show of negotiation with Great Britain, was evidently, not to bring about an amicable adjustment with her, but to prevent a settlement without incurring the dangers of war, and to retain their popularity at home, without incurring the resentment of Bonaparte. With this view, Mr. Pinckney was sent to the Court of St. James, armed, one hand with a falsehood, and the other with an impudent absurdity. The falsehood, that the embargo was intended as a mere municipal regulation, for municipal purposes; the absurdity, that while making that assurance, the repeal of it should be considered by the British Government as a *desideratum* that she would be willing to purchase with the abandonment of an important war operation which she had found necessary to put in practice against France. But there was something more considerable than either of these which the ambassador had in his instructions; to wit, a determined plan of duplicity and deception; by the means of which he was to seem to negotiate, without coming to a point; or, (to take an illustration from surgery,) was to keep the wound from healing, without suffering it to gangrene or mortify.

The British government had too many, and strong proofs, of the character and disposition of our rulers, not to foresee that there would be an attempt, on their part, to deceive, and not to perceive the falsehood of their pretences. After the manifold testimonies

which that set of men had given of a deeply ingrafted hatred, the British minister must be a driveller indeed, if he could place any confidence in their professions of amity and returning good will. If, seeing the provisions of the embargo extended to an interdict of all commercial intercourse by land between New-York, Vermont, and New-England on one hand, and Canada and Nova-Scotia on the other, he could believe the President's profession, that it was intended only to prevent the seizure of our ships and mariners at sea by the belligerents; if he could seriously credit the assertion that it was not a measure of enmity to Great Britain, but a mere municipal regulation for municipal purposes, while the voice of the partisans of government in Congress boasted of its effect, as an act of coercion, and while Bonaparte publicly applauded it, or if he would trust to the honour, justice, or impartiality of an administration which stood convicted in the eyes of the world at large, and of its own country in particular, (a conviction sanctioned by the express and solemn resolutions of some of its own State Legislatures,) of having, while pretending to neutrality, directed all its resentments and insidious occult hostility to one belligerent, and coöperated clandestinely with the other; or, if seeing their meanness and tame submission to the dictates of a tyrant, he could refrain from the utmost scorn and contempt for them.

Such must necessarily have been the impressions with which Mr. Canning met Mr. Pinckney in the closet. At their very first meeting, the duplicity of our cabinet and its agents, gave a crooked bent to

the negotiation, from which there was not enough of the elasticity of truth and sincerity in the man, to recover it. They had a long conference; and in that conference, Mr. Pinckney urged the expectation of his government, that the British would rescind their orders in council. To this Mr. Canning replied, that the orders in council were not levelled at the United States as an act of hostility to them, but at France as an act of retaliation for the Berlin decree, and that in reason and sincere reciprocity, the government of the former was bound to apply to the latter for that remedy, which she now seemed more desirous to obtain from Great Britain alone. On this, Mr. Pinckney threw out some intimation, that the embargo would be repealed, provided the British government rescinded the orders in council; but spoke of it as merely a suggestion of his own, for which he had not the authority of his government. Whether it was that Mr. Canning wished to have the whole before his eye in a visible form, or felt it necessary to be more than ordinarily cautious of the wiliness of the American government and its agent, is not so certain as to be insisted on; but he thought proper to express a desire to have the suggestions and proposals of Mr. Pinckney in writing. With this requisition Mr. P. complied; and on the 23d of August gave in a formal authorised proposal in writing; to which Mr. Canning returned an official answer on the 23d of September, which for ability is certainly not surpassed, possibly not equalled by any writing in the diplomatic history of nations. This answer he accompanied with an unofficial letter, in which he recapitulated the sub-

stance of their former conversation, between which and the written proposal, he saw a difference in a consideration of some moment; and that was, that Mr. Pinckney had not, in their conference, made an explicit offer to repeal the embargo, on condition of the orders in council being withdrawn, *in the name or with the authority of his government*, but had merely suggested it, as coming from himself individually. On the 10th of October, Mr. Pinckney sent an answer to Mr. Canning's letter, in which an amount of more than twenty pages of very large sized octavo, in print, was occupied in a vain effort to justify the negotiation from the charge of having failed from his neglecting to make an offer from government to repeal the embargo; but in which, when connected and compared with other parts of the correspondence respecting the negotiation, he appeared manifestly guilty of mistakes or misrepresentations.

On our first conference (said he to Mr. Canning) *I told you explicitly*, that *the substance of what I suggested*, (viz. that the British orders being repealed, we would suspend the embargo) *was from my government;* but that the manner of conducting and illustrating it was all my own. *I even repeated to you the words of my instructions*, as they were upon my memory. After this, however doubtful a person might be as to the assertion of Mr. P. that he had told Mr. C. explicitly, that the substance of his suggestion was from his government, he would have a right, at least, to conclude, that the written authority on which Mr. Pinckney so confidentially relied, and the words of which he said he had repeated to Mr. C. did at least contain the words to bear him out. When

those very instructions, however, come to be inspected, they are found not to contain one single word of that import; but, on the contrary, directions to the very reverse. For his instructions on this head, Mr. Pinckney, it seems, was referred by the Secretary of State, (Mr. Madison) to his (Mr. Madison's) answer to Mr. Erskine, on the subject of the British orders in council; and the words there are as follows: "The United States are well warranted in looking for "a speedy revocation of a system which is every "day augmenting the mass of injury for which the "United States have the best claims to redress." And then, continues Mr. Madison to Mr. Pinckney himself, "still it is to be understood, that while the "insult offered in the attack on the Chesapeake re-"mains unexpiated, YOU ARE NOT TO PLEDGE OR "COMMIT YOUR GOVERNMENT, TO CONSIDER A "RECALL OF THE ORDERS IN COUNCIL AS A "GROUND ON WHICH A REMOVAL OF THE EXIST-"ING RESTRICTIONS ON THE COMMERCE OF THE "UNITED STATES WITH GREAT BRITAIN MAY "BE JUSTLY EXPECTED." Here, then, is a positive order not to give the British government reason so much as to expect that the embargo should be repealed, even though the orders in council should be rescinded.

Thus Mr. Pinckney stands convicted of misrepresentation by the very instructions from which he pretended to have repeated the words to substantiate the truth of his assertion. No such words were in it; but words directly the reverse; so that if he had, as he asserted he did, explicitly told Mr. Canning that the

substance of his suggestions, respecting the repeal of the embargo, came from his government, he was guilty of misrepresentation; and if he did make such a proposal, he was no less guilty of a breach of the orders of his government, which forbade him to give any such expectation. What makes the matter worse was, that Mr. Pinckney himself, in his letters to Mr. Madison, recognised the policy—in one of the month of May he tells him, that he had taken care to make no proposal. There is still stronger evidence of Mr. Pinckney's conviction, that he was not authorised by his government to offer the repeal of the embargo; for, on the fifth of June, he wrote another letter, in which he informed Mr. Madison, that he was to have an interview with Mr. Canning in a few days, that he would then press the suggestion of repealing the embargo law. "But," adds this worthy representative of his *honest and honourable cabinet*, "I shall, *for obvious reasons*, do this "INFORMALLY, AS MY OWN ACT." And further on, in the same letter, he says, "*You may be assured* "*that I will not commit our government by any thing* "*I may do or say.*"

From the whole of this, it is evident that Mr. Pinckney not only entered into the views of his employers to cajole the British minister, but even debased himself by palpable falsehood, to cover them from the effects of that indignation which their country must necessarily feel on finding that, while they affected to negotiate, they only meant to insult and betray. In his correspondence Mr. Pinckney alluded to the disappointment felt, and the regret exhibited

by the British minister on finding that the OSAGE arrived in England, without bringing any communication on the subject of the pending negotiation.

Mr. Canning's official letter was decisive, pointed, and honourably demonstrative of an anxious desire for amicable adjustment. "If (said he) "the embar-"go is considered as a measure of hostility, his ma-"jesty cannot consent to buy it off. If, *as it has* "*been more generally represented by the government* "*of the United States*, it is only to be considered as "an innocent municipal regulation, which affects "none but the United States themselves, and in "which no foreign states have any concern, his Ma-"jesty does not conceive that he has the right or the "pretensions to make any complaint of it; *and he* "*has made none.* But in *this* light, there appears not "only no necessity, but no assignable relation, be-"tween the repeal by the United States of a voluntary "self-restriction, and the surrender by his Majesty "of his right of retaliation against his enemies."

This whole farce was certainly performed for the amusement of the United States alone. It was on our citizens only it was to have its effect. Neither Mr. Jefferson, nor Mr. Madison, are so grossly ignorant of the character of the British ministers, as to expect them to be the dupes of such contemptible cajolery. They could not really imagine that the British nation, which repels or crushes every assault upon its independence, and maintains a lofty preëminence over the nations of Europe, would be intimidated into a surrender of its rights of attacking her murderous enemy with his own weapons, by the miserable, cowardly paper war of a cabinet, that has

been dragooned, and bullied, and plundered, under the name of tribute, and made to fetch and carry like a dog by Bonaparte. Would such a government as that of Great Britain, suffer the world to imagine that it could be coerced by our embargo, or subdued by our miserable timid system of suicidal policy? Must it not occur to them, that having once embarked in a war of experiment with Great Britain, they could not hope that she would yield till the experiment was fairly tried, or that by submission she would furnish them with motives for resorting to the same experiment whenever it suited their purpose. In his gallant determination to see which could do each other most harm, Mr. Jefferson has, on this occasion, succeeded as ill as he could expect to have done in the field, had it been possible to have forced him in it. The fright, and the disgrace, has been all his own—the harm his country's.

All this time the nation was kept in the dark respecting the situation of our affairs with France. Nothing was better known than that the cabinet was in possession of information from the ambassador at Paris, which they dared not to disclose. It was generally surmised that the seizure of American property by "THE TYRANT" had not passed off without some discussion. It was also conjectured, and by some asserted, that the fate of the American property so detained was to wait the determination of our Executive respecting the order of Bonaparte that we should declare war against Great Britain. All this was strictly true; but it was, by a most criminal act of deception, withheld from the public;

to which end those parts of the correspondence that would have disclosed it were suppressed.—Whole letters, and parts of other letters, were kept back; and even a portion of a letter of Mr. Madison's to Mr. Armstrong was expunged, for the purpose of cheating the people. It was not till about the beginning of March, 1809, these secrets burst forth to light. This history had been actually closed by the author, when he made the discovery. It appears, then, from this new and fortunate disclosure, that not only the most important facts respecting the treatment we have sustained from France have been smuggled out of sight and buried in concealment, but that parts of Mr. Pinckney's correspondence, which tended to display the conduct and intentions of Great Britain in a favourable light, and to shew her friendly disposition and honourable intentions to the United States, were with equal care and equal improbity, kept out of sight of the public.

From those documents which the laudable industry of some honest, patriotic Americans had dug up from that repository of corruption---that grave of our republican rights, the private bureau of the federal city of Washington, it appears that Mr. Armstrong, in whose bosom the sparks of the almost extinguished American have been blown up into warmth, if not flame, by the tempestuous breath of "THE TYRANT" ---did, so long ago as the month of December, 1807, not only inform his government of the outrageous wrongs and insults put upon our country, but said that they were so palpable, so evidently and shamefully expressive, that the very people of France did, as far

as they dared, cry out against them---but that so horrible was the fear in which "the Tyrant" was held, that no one, not even his ministers, would hazard their lives by telling him the truth. Adverting to the Milan decree, Mr. Armstrong, in a letter dated the 27th December, speaks thus: "Whether it be "meant to stimulate Great Britain to the commission "of new outrages, or to quicken us in repelling those "she had already committed, the policy is equally "unwise, and so decidedly so, that I know not a man "of consideration who approves of it. It is, how-"ever, not less true, that it is difficult to find one "who will hazard an objection to it. Talleyrand, "who is in this way permitted to go further than any "other person, dare not avow his opinion of it, nor "(bad as he thinks it) do more than state that the "present moment would appear to dictate some mo-"difications." The effects of this were to us of the very worst kind---we had no medium through which to reason or expostulate with the Tyrant---we were obliged to submit, and our Executive did as easily and as meanly as any of the Corsican's creatures, submit to his caprices, and was all the time so conscious of the baseness of doing so, that he dared not let it be known to his country, and had recourse to deception and falsehood to conceal his meanness and cowardice.

When men of courage and magnanimity are opposed to those who are mean and cowardly, they think it a misfortune, because, as much discredit is incurred by victory over them, they will forego advantage to

escape disgrace, and pitying human infirmity, will give up part of the contested matter as an alms. But "the Tyrant" has the courage only to do mischief. To that exalted courage distinguished by magnanimity, his nature never yet aspired. The more our Executive bore from him, the more insult and wrong he inflicted---the more we gave him, the more he exacted---while, on the other hand, the more he insulted, wronged and demanded, the more pliable and prompt we were to suffer and to concede. The genius of satire never brought forth---most probably never conceived any thing for the production of effect in novel, in romance, in poetry, or on the stage, more despicable, or if it were conversant with small affairs, more ludicrous, than the situation of our government with respect to France, as displayed by this suppressed correspondence when brought to light. Before this is entered upon, the reader will do well to prepare his mind for its reception by preserving in his recollection the storm which has been kept up by the Executive and its agents against Great Britain, while its government was offering atonement and compensation for the wrongs which were done us without its consent. In a letter to Mr. Madison, dated the 22d February, 1808, Mr. Armstrong says, "I have come to the knowledge of two "facts, which *I think sufficiently shew the* DECIDED "*character of the* EMPEROR'S *policy with respect to* "*us.* These are, FIRST, that in a council of admi- "nistration held a few days past, when it was pro- "posed to modify the decrees of November, 1806, "and December, 1807, (though the proposition was

" supported by the whole weight of the council,) he " became highly indignant, and declared that these " decrees should suffer no change, and *that the* " *Americans should be compelled to take the positive* " *character of* EITHER ALLIES OR ENEMIES.--- " SECONDLY---that on the 27th January last, (twelve " days after Mr. Champagny's within assurances " that these decrees should work no change in the " property sequestered until our discussions with " England were brought to a close, and seven days " before he reported to me verbally these very assu- " rances,) *the Emperor had by a special decision* con- " fiscated two of our ships and their cargoes, (the " Julius Henry and Juniata,) for want merely of a " document, not required by any law or usage of the " commerce in which they had been engaged. This " act was taken, as I am informed, on a general report " of SEQUESTERED cases, amounting to ONE HUN- " DRED AND SIXTY, and which, at present prices, " will yield upwards of one hundred millions of " francs---*a sum whose magnitude alone renders hope-* " *less all attempts at saving it.*"

" Then," continues Mr. Armstrong, " if I am right " in supposing that the Emperor has definitively " taken his ground, *I cannot be wrong in concluding* " *that* YOU WILL DEFINITIVELY TAKE YOURS."

Here is authority which the vilest slaves of France cannot question; here are facts which the most profligate falsifier will not now attempt to deny.* The

* This is an error of the Author's---De Witt Clinton or Duane would.

American ambassador, a partial admirer and advocate of France, tells his government that "the Tyrant" has declared that *the Americans should be compelled to be either enemies or allies*---and that (by way of guarantee for our good behaviour) one hundred millions of francs---that is to say, SEVENTEEN MILLIONS OF DOLLARS---or about three times as much as Great Britain took (and paid for again by the bye) in the whole of her fifteen years war, was sequestered. And so far was the ambassador from looking for a restoration of that property, that he considers the greatness of its amount as an exclusion of all reasonable expectation of its being refunded. And here he ventures to give an opinion, that as "the "Tyrant" had now definitively taken his ground, "WE SHOULD IMMEDIATELY TAKE OURS."

Mr. Armstrong in this instance showed a becoming zeal for the honour of his country---but very little knowledge of the President or his counsellors. Instead of going to war, they would be ready to give him tribute, if he insisted upon it.

That our cabinet had a private understanding and compact with "the Tyrant" to destroy the commerce, navy and power of Great Britain, may be readily and reasonably inferred from Mr. Madison's own words, now first brought to light. Those words were originally contained in a letter of his, which was published as a perfect whole, though this part now alluded to was expunged from it in the copy published---a proof of his consciousness that it was unfit to be seen. In the original, Mr. Madison said, that "his Britannic majesty had declared that he

" would repeal or relinquish his orders *pari passu* " with his enemy, France"---and then comes in the suppressed part, which is worthy of consideration :

" Whether these instructions have any reference " to the distinction between such parts of the French " decree as operate municipally on shore, and such " as, operating on the high seas, violate the rights of " neutrals, or to a distinction between the former re- " striction and the late extension of the decree with " the United States, Mr. Erskine did not seem au- " thorised to say. The probability is, that neither of " those distinctions entered into the views of the Bri- " tish cabinet. But it is certainly neither less the " duty nor the policy of the Emperor of the French, " so to vary his decree as to make it consistent with " the rights of neutrals, and *the freedom of the seas ;* " and particularly with his positive stipulations with " the United States. This may be the more ex- " pected, as nothing can be more clear than that the " effect of the decree, as far as it has been carried " into effect, would not be sensibly diminished by " abolishing its operation *beyond the limits of territo-* " *rial sovereignty.*"

Here there appears that a manifest surrender of the national rights and property (no less than seventeen millions) of our people was to be made to " the Ty- " rant." In discussing the operation of the decrees, Mr. Madison is so lost in the thoughts of its success- ful operation to the effect for which " the Tyrant" designed it, (the ruin of Great Britain,) that he seems to have totally forgotten its pernicious effects upon his own country. Nor does he tell Mr. Armstrong

to urge the injustice to America---the injury and dishonour to the United States---the hardships to the American people. No—he argues upon "the Ty-"rant's" own grounds of policy, and rather urges what little he does urge as the advice of a friend or copartner, embarked in one cause with him, than as the minister of an injured country demanding its just rights. "For the sake of your own cause," says he, "relax the execution of your decree---it "will look well, and will *not diminish the effect* you "intend it to produce."

And after all, what did he ask? Why, just so much as would serve as a handle against England. Let the passage be read, and this will be found to be the construction. "The British minister agrees to "relinquish the orders in council *pari passu* (that is "with equal step) with France. Now let the Em-"peror vary his decree in such a manner as to make "it consistent with the rights of neutrals and the "freedom of the seas---(not at all calling for a repeal "of it on the rights of America secured by treaty)--- "only modify the decree---the ruin of British com-"merce will be as completely effected by seizing "our commerce in your own ports, as by taking it "on the ocean. The former is only a breach of trea-"ty with America, which your friends here will "overlook---England therefore will have nothing to "do with it. The latter is a violation of the freedom "of the seas---renounce that, and England will re-"linquish her's *pari passu* also, and thus her com-"merce will be destroyed and her ruin effected with-"out the least trouble to America."

The whole of this correspondence, so treacherously suppressed, and so forunately discovered, is of itself, undeniable evidence of the existence of a systematic coöperation between our cabinet and "the "Tyrant" of Europe.

That it was determined by our cabinet not to come to a settlement with Great Britain is clearly discoverable in the whole conduct of the negotiation. For not only nothing of a determinate nature was proposed respecting the repeal of the embargo, but if that matter had been adjusted, there were others of still greater moment to Great Britain and of much greater difficulty, which remained to be settled---above all that most execrable and unprecedented act, the proclamation which has for so many months causelessly shut out the armed ships of Great Britain while evidently in a state of amity with us, from that hospitality which it afforded to all other nations. But it is more evident from this, that when Mr. Rose came over to negotiate and accommodate the dispute about the Chesapeake, his overtures were declined, because he was not authorised to mix other subjects of negotiation with it. And in the last instance Mr. Pinckney was instructed to make no arrangements concerning the British orders in council and the embargo, unless the difficulties respecting the Chesapeake and the proclamation were included. And yet when it was discovered that the British Minister was, for the mere purpose of compliance and accommodation, willing to include both sub-

jects in one negotiation, Mr. Pinckney refused, and said that they had no relation to each other. All this time the cabinet and its understrappers in and out of Congress, employed every artifice to inflame the people against Great Britain, by persuading them that the failure of their Minister in the negotiation was owing to the unreasonable demands, the arrogance, and the obstinacy of the British government.

All the better men in the Union, however, and chiefly the penetrating, intelligent, sagacious, and patriotic inhabitants of New-England, clearly perceived the drift of the cabinet, and determined to repel, and if possible, defeat it. They without delay adopted all legal means to secure their own particular Commonwealth from the general ruin, and to render the embargo inoperative, as to themselves, by the acts of their own Legislature. They vigorously resisted every attempt of the general government to enforce the embargo by means of the militia. The Secretary at War addressed a letter to the Governor of each State, desiring him to appoint such military officers as he could trust in the contiguity of each port, to be ready to call out the quota of militia at hand to enforce the execution of the act. That virtuous and veteran patriot, Governor Trumbull, of Connecticut, refused to obey it, and formally protested against the demand as unconstitutional and illegal. Not so the Lieutenant Governor of Massachusetts, his excellency Levi Lincoln. Either by nature or the influence of Mr. Jefferson completely jacobinized, he, in the very

teeth of the universal opinion of his State, appointed officers; but the Legislature took the matter up, and in a report which reflects never fading credit upon their wisdom and spirit pointed out the illegality of the act, and marked it with their reprobation. In this, as in all their writings upon the occasion, that assembly displayed at once a coolness and an energy that would do honour to the best, the wisest, and the most intrepid men in the best days of their ancestry. Their reports and state papers will stand forever high among the political transactions of the country, and be contemplated with exultation and pride by an admiring and grateful posterity.

While the State Legislatures of New-England held this firm and elevated ground, the general Congress proceeded in a manner, which, if it were not too serious to be slighted, would serve to provoke laughter. Almost every day presented some of the members in an attitude which, if a conventicle of methodists had been suddenly dropped into the House would have thrown them in one universal roar of merriment. "Let us at once declare war against "Great Britain—take Canada—Nova-Scotia and "New-Brunswick," said one. "Let us SWEEP them "from the Continent," said a second. "Let us "seize upon, and confiscate all their property," (here many members rubbed their hands with satisfaction) "and arrest all their agents, and partisans, "and compel them, Bonaparte-like, to work on our "fortifications," said a third. The members who said so, well knew, all the time, that a law to make

all French agents work on the fortifications would, if carried to its full extent put some of his best friends of the cabinet, the Congress, and the press, to the shovel and the wheelbarrow. These extravagant effusions of mixed malice and ignorance, however, went off harmless, being no more regarded than the blusterings of disappointed, sharking gamblers, who, enraged at losing, or to prevent their being detected, dash their cards in the fire, or throw their loaded dice out of the window. As a stain upon the councils of the country it is a serious mischief, and will no doubt contribute to lower and degrade the nation at large, and, it may be feared, to make us hateful too, as well as contemptible, in the eyes of Europe, when the tempest which rages there shall have passed away, and a general adjustment takes place of the universal derangement of the civilized world.

Of the worthies who breasted this torrent of corruption and raised their might against the embargo law, none stood more distinguished than Mr. Timothy Pickering, a senator for the State of Massachusetts. This excellent man, and wise and virtuous statesman---

> Who has virtues which a Roman breast
> In Rome's corruptless times might have confess'd—

was from the first suggestion of the act opposed to it; and had in vain endeavoured to prevail on the Senate before they passed it, to hear him and his colleagues in opposition to it. Finding himself shut

out from the rights of debate in Congress, (a curious mark of a free country, no doubt,) he exhibited to his constituents a view of the impolicy of the measure, and of the imminent danger of a ruinous and unnecessary war, in a letter addressed to the Governor of Massachusetts. This letter had a powerful and sudden effect upon that and the other New-England States—it was indeed so full fraught with judicious observation and sound principles, and was so deeply rooted in truth, that irresistible conviction followed it. The man, who, after reading that letter persisted in supporting or defending the embargo, be he of what rank, party, or description he might, was unquestionably, so far, either a knave or a fool.

Since this gentleman's name is mentioned, it would be wrong to omit stating that he has the honour of having rendered himself particularly obnoxious to the hatred of the democratic party. When he was Secretary of State he was followed in full cry by those blood-hounds. It has already been shown, that every man who did not coöperate with them in their villanous designs, was marked for persecution; that the virulence of the persecution was generally proportioned to the value of the person persecuted; and that General Hamilton himself, had been accused of embezzlement---and was by a committee, composed of members of the faction, most honourably acquitted. In an accusation of the same kind brought against Mr. Pickering, there was something so transcendantly flagitious, that it must be set up among the monuments which it is the business of this history

to erect to the everlasting infamy of that faction and their principles. The origin of it, is so replete with wickedness of more than human dye, that it would scarcely be believed, if it were not accompanied by a name which will serve as a passport for any enormity to the belief of the most incredulous. On the bare mention of the name of "DUANE," every doubt will vanish.

Some time in the early part of the year 1800, that firebrand, whom God, for our sins, has sent to scourge and infect this country, prevailed upon a clerk in the office of the Treasury Department, to bring him at midnight into that office. The clerk, whose name was Anthony Campbell, was an Irishman, and, as it is said, a man of very bad private character. By means of a key, either falsely purloined, or negligently left in his possession, those two midnight men, surreptitiously got into the privacy of the public records, and took certain minutes from the books, for the purpose of grounding a charge of embezzlement against Mr. Pickering. Burglarious deeds are generally done in hurry and trepidation. Under the complicated influence of guilt, alarm, and earnestness to find what they wished for, they took down the sums total on both sides of the Secretary's account current as it stood, without examining into the particular details on either, and the chief assassin now felicitated himself with the asurance that he had it in his power to traduce one more honest man. Accordingly, in that national nuisance, his paper, *Mr. Pickering was at once publicly charged, in direct terms, with having de-*

frauded the public of HUNDREDS OF THOUSANDS OF DOLLARS; and this infamous charge was still further aggravated by the epithets which accompanied it, as applied to the officers of the Executive department, of public robbers, peculators, defrauders, &c.

A motion for an inquiry into the accounts of Mr. Pickering, was introduced in Congress, and such was the opinion that was entertained of Mr. Pickering, even by his democratic adversaries, those of them who were themselves men of fair character, that one of the warmest of the party, Mr. Nicholson, took occasion to bear his testimony to the purity of Mr. Pickering, "The proposed resolution, "(said he) is not on account of any doubts in my "mind: I do not entertain the least suspicion that "Mr. Pickering has ever appropriated to his own "use, or defrauded the public of a single dollar;--- "I BELIEVE HIM TO BE A MAN OF IRREPROACH-"ABLE HONESTY AND INTEGRITY." Mr. Pickering, and his friends, earnestly urged an inquiry; of course it took place, and the result tended to give still greater lustre to his character. The fact was, that in the public accounts, all the monies he received, were, of course, set down to his debit, while a very large portion of the monies he had disbursed, could not, with propriety, be definitively placed to his credit, till his accounts with those to whom he paid them were settled, and till he had their vouchers to produce in order to substantiate them. Of this description, was the whole amount which had been appropriated to foreign Ministers, Consuls, Agents, &c. &c. which were directly charged to

him, but the vouchers for which, were not usually forthcoming for one, two, or three years. A committee was appointed to examine his accounts, a majority of which committee, were decided influential democrats, and they unanimously reported, that his conduct was highly honourable, honest, and disinterested. Indeed, it appeared that he declined many means which he might without the least flaw in his integrity, or scruple of conscience, have made use of to enrich himself. It affords no ordinary illustration of the blessings of democracies, that they allow such beings as Duane to traduce unpunished, the fair fame of such men as Mr. Pickering, whose high station in the public opinion cannot be better described than by stating the unanimous assent of all his fellow-citizens to what he pronounced of himself in his letter to the Governor of Massachusetts, when in the pride and exultation of conscious truth and integrity, he said, 'I may claim some share of "attention and credit—that share which is due to "the man who DEFIES THE WORLD TO POINT, IN "THE WHOLE COURSE OF A LONG AND PUBLIC "LIFE, AT ONE INSTANCE OF DECEPTION---AT A "SINGLE DEPARTURE FROM TRUTH."

And this is the place (surely there cannot be one more apt) to bring to view, for the purpose of fairly contrasting them, the public conduct in pecuniary matters alone, of the federal and democratic administrations. Already the reader has been apprised of the many disingenuous attempts on the part of the democrats to fasten some charge of default or embezzlement on them. He has seen the pride and

glory of his country, Hamilton, (in his bosom there was more integrity than the whole collective worth of the faction could equal,) impeached of peculation, tried by his own desire, and by a committee selected by his desire also, out of the ranks of his adversaries, and acquitted with honour. He has seen the veteran Pickering, so accused, and so acquitted —nay, he has seen the august name of Washington, audaciously glanced at, by those sacrilegious assassins. To those may be added the cases of Mr. Wolcott, Secretary of the Treasury, and Mr. Stoddart, Secretary of the Navy, who were brought before the public in a manner so treacherous, cunning, and malignant, as to disrobe the authors of it to the very last rag of their pretensions to candour, honour, and probity. Those two last gentlemen were treated in a manner which demands particular and circumstantial detail—they published a vindication of their conduct, and they stand, and as they ever did, will continue to stand, erect and spotless in the public eye---while the names of those who meditated their defamation, will serve as a by-word of reproach. Posterity will be at no loss to determine from the temper displayed by their accusers, what the fate of those personages would have been, had even a shadow of guilt rested upon them, and no better pledge can be assumed for the incorruptible integrity of the federal administration, than that with so many vigilant, inexorably malignant, unfair, and treacherous enemies watching and scrutinizing their conduct, they retired, after twelve years possession of power, with their purity unsullied.

It will be seen, how the democratic party have come out of the ordeal of eight years only. But first, their baseness, as evinced in the attack upon Mr. Wolcott, and Mr. Stoddart, must be displayed---their own peculation shall then be laid open to the very bone.

In the session of 1802, Congress appointed a committee to investigate the appropriation of monies drawn from the Treasury---this was a mere malicious parade---a villanous practical trope adopted by the democrats to kindle suspicions of the preceding administrations in the bosoms of the people. Those who instigated it, knew there was no just grounds for such a measure as well then, as they did in the result. Of the committee, which was named a committee of investigation, the majority were democrats---Mr. Jefferson's congressional scavengers ; and as it would be an act of injustice to let such righteous men go unrewarded with notoriety, it is fitting to state their names. They were Mr. Nicholas, of Virginia---Mr. Williams, of North-Carolina---Mr. Elmendorf, of New-York--and last, though not least, the *honourable* Mr. Giles. More than four months did this honourable and ingenious fraternity, waste in concerting a report which they withheld till just as the session was at an end, for the express purpose of disabling those who were concerned from repelling the charges in it in Congress, by which means, the calumnious insinuations it contained would have the advantage of several months impression upon the credulity of the public. This base artifice reduced those gentlemen to the necessity of appealing in their

own justification to the public, who saw clearly into the transaction.

The activity and vigour of those gentlemen would have merited applause if there had been substantial ground for suspicion.—Unfounded even as the charge was, it might be forgiven as a proof of excessive zeal in an honest cause, if the same persons were found to exhibit the same spirit on the developement of peculation in their own party. But unfortunately for their own characters, some of them have failed most ignominiously in the trial.

That very Mr. Giles was in February, 1809, one of a committee appointed to examine into charges preferred against General Dearborn, the Secretary at War, of having advanced to General Wilkinson sums of money that he ought not to have advanced, to the amount of fifty thousand dollars. The facts stood proved upon the face of the treasury books. Never was there a more complete, unauthorised, shameless embezzlement. But then General Wilkinson was a prime favourite of Mr. Jefferson; at all events he was possessed of secrets which if vexed, he might blab. General Dearborn was another favourite, and was particularly recommended by his promptitude to cram the embargo on the point of the bayonet down the throats of the New-England people, and still more by his aversion to "*those painted nuisances*, churches." They were limbs, and worthy limbs, of the faction---besides, unlike Wolcott and Stoddart, they were actually guilty---of itself, no small recom-

mendation. Wherefore that same *honourable Mr. Giles*, acquitted General Dearborn, and why? Because he was not guilty *knowingly*. If his conduct in this case be compared with his conduct in those of Wolcott and Stoddart, the impression it must make will be greatly to his dishonour, more particularly when the language of his report in 1802, is duly considered. Some money advanced for *secret schemes* was adverted to in the report as not being correct---as, the law authorising the application of monies in that way, confined it to the purposes of foreign intercourse. "*It has not there-* "*fore*, (said the said Mr. Giles) *been without con-* "*siderable surprise that the committee have seen* "*the same principle applied to THE WAR DE-* "*PARTMENT.*" But he went further in that report, and animadverting censoriously upon the President's (Adams's) having signed two certificates as vouchers for monies said to be expended on the duties of the war department, he, the *honourable* Mr. Giles, (his colleagues with him,) said:

"The Committee entertain no doubt as to the "illegality of this measure, as it is authorised by "no law whatsoever, and they flatter themselves "that the federal government required no services "of any nature, which ought to be concealed from "the officers of the treasury, or from the Legis-"lature."

This picture has received no heightening from extrinsic circumstances. It displayed the most abandoned licentious abuse of power in the men in office, the most impudent corruption in those

who would conceal it, and the most fatal tameness in those representatives of the people who let it pass without impeachment. A statement of the extravagant payments to General Wilkinson will be found in the public records of Congress, and the reader is earnestly entreated to turn to it as to a curiosity. Some of the charges for impudent extravagance, for a gross sensuality, and for imposition, far surpass any thing of which an example is to be found in the annals of British state expenditure. Six thousand six hundred and nineteen dollars, for the diet of General Wilkinson and Governor Claiborne for only one hundred and seventeen days, or about four months, is such an outrage upon all credibility that even with the official documents before their eyes men can scarcely credit it. These virtuous, simple, and clodhopping members of the swinish multitude have a thousand times enlarged upon the vicious extravagance of the princes royal of Europe; an extravagance, by the by, from which multitudes derived subsistence---but here is more sacrificed by those two democrats to their household gods (their stomachs) than is expended upon the table of any one of the continental princes of Europe---that of "the Grand Tyrant" excepted.

After building up and blowing down again successively their card-house schemes to get rid of the embargo, the Congress at last found themselves under the necessity of repealing that law and the repeal to take place on the fifteenth of March.---By way of furnishing a substitute for it, however, they passed a bill forbidding all intercourse with France

and England and their dependencies; but as the period of Mr. Jefferson's continuance in the office of President had just then expired, and Mr. Madison succeeded to the administration, the result of the act does not properly belong to this history.

Taking a retrospective view of the conduct of that party which it has been the purpose of this history to portray in its proper colours, we find abundant demonstrative proofs of a cool determination to destroy Great Britain, and to act as auxiliaries to France. In the conduct of the leaders of the party we find proofs, which if not logically demonstrative, are much stronger than mere presumptive proofs, of a deep laid dangerous plan---a plan to which prudence forbids the giving of a name, and which nothing but the vigour of Great Britain and the overthrow of Bonaparte's power over the Spanish colonies could prevent from perfect effectuation.---Perhaps it is only postponed. May heaven avert it!---mean time it cannot be forgotten how those leaders brawled against the levying of an army, when the aggressions of France were so intolerable that the voice of the nation was uniform for war, in the administration of Mr. Adams, and before that, on the suppression of the western insurrection. The world have now before them enough to determine why the same persons should of late have called for an army, such as never was contemplated by Washington or Adams---why the federalists have been uniformly excluded from the military commands and from military commissions---why the rights of the States to

appoint their own commanders have been violated by the Executive taking upon him to appoint them---why the most notorious and infamous partisans and hired slaves of France have been raised to the command of corps---why the civil authority has been outrageously trampled upon by the military, with the acquiescence and encouragement of the President Mr. Jefferson---why the State of Pennsylvania has been put by its governor under a military despotism, and the courts of justice and the laws of that State have been levelled down under the bayonet—Never was there a scheme of such extent so perfect in its parts, so congruous, so well concatenated. The success of all the former parts of this universal scheme of jacobinism in Europe has been so complete, as to inspire the authors of it with a confidence in their powers of corruption which steels them against fear of detection, and of shame, when detected: and, what is more surprising, the effects of their operations are still correspondent to their wishes.---If it were not for this, would the body jacobin be such wilful bunglers as, while the fate of Europe is yet bleeding fresh in the eyes of the world, to play over here in America the very same part in the very same way that it was formerly played in Holland, Switzerland, Venice, Genoa, Prussia, Italy, and Spain.---That every country has traitors in its bosom is a truth too obvious to be doubted; but that those traitors should not be able or desirous to devise some other mode of treachery than that identical one which has rendered Schemmelpenninck, Mack, Haugwitz, and Godoy so ignominiously conspicu-

ous, is astonishing. In the well furnished magazines of fraud and treason, is there no greater variety of expedients?---Were the DON RAPHAEL and AMBROSE LAMELA of the yet unrifled countries, so dull and deficient in stratagem as to be obliged to resort to the very same fraud they practised on poor Samuel Simon?---God avert the omen!---but should America become the dupe of stratagems so often practised and so well known, her fall will be still more disgraceful and unpardonable, than that of any other, as she had so many examples before her for her warning and instruction.

The evils with which the country is threatened internally by the wickedness of this pernicious faction (though at any time they would appear frightful) are but little when compared with those which menace her from without. Domestic injuries may be repaired---and the ruinous impolicy of a corrupt, perfidious administration, may be rectified and retrieved by another that is faithful and honest---but nothing can retrieve the country that is once subjugated by plausible treachery. The nation that bears the yoke laid on by arms, may by arms throw it off again: but that which sinks into slavery under the prostration and decrepitude of that consuming cancer corruption, is no more capable of recovery than a mortified limb of convalescence, or a body long dead of resuscitation. Should this country by coming to its senses, and fully awaking to a due consideration of its dangers avert the evil that impends, and so effectually spring from the polluting arms of Napoleon, as to render him hopeless of further practices

upon its independence---or should the instruments of an avenging God succeed in their efforts to kill the serpent or send him hissing back into his cavern, great difficulties will be found to arise to this Union in the well deserved resentments and enmity of the nations of Europe for our base desertion of the general good, and of our own pretended principles, and our unnecessary and unnatural voluntary coöperation with the tyrant who has extinguished the last trace, nay almost effaced all sense of liberty and independence in the far greater part of Europe. Looking to that quarter of the globe, the eye to which it is given to see deeper than the surface of things, will discern a destiny for this country very different indeed from that for which our heroes and our fathers bled. Whether the scourge of France shall succeed or be defeated in his scheme of universal empire or not, all Europe with the exception of England alone will be under the rule of monarchs, who, rendered cautious by what has lately happened, will one and all imagine it their interests to set their faces against the only republic existing.---They will make our licentiousness their pretext---and they will use our corruption as their instrument. Nor is there one among them who has such urgent motives, or feels so strong a disposition to do this as Bonaparte himself, who when his disputes with England, all of which will be settled when his dynasty shall be secured in its succession, will cordially coöperate in the overthrow of a republic which does every thing to provoke the anger and contempt, and nothing to conciliate the good will or respect of any nation in

Europe. Should Spain succeed in asserting its own independence, it will resume its wonted station, and stand among the nations in pride and power, second only to Britain. The wise and firm patriots who wield the newly awakened powers of that kingdom will never let her sink again into her pristine infatuated state of prostration at the feet of civil despotism or ecclesiastical tyranny. Her wealth is boundless, and after doing its stated service to herself will almost wholly go to enrich Great Britain, with whom her interests may be said to be identified for ever. Her marine is even now great; and her capabilities of enlarging it are far greater than her occasions can demand. Having once secured herself against invasion from France, she will be unrivalled except by Great Britain in dominion over the seas---all the continent of America south and west of Louisiana, the dependencies of Portugal excepted, will be her's---there, and in her West-India islands, she possesses innumerable harbours from which she will command and controul every yard of canvass that floats on those seas. The Mediterranean too is under her guns and those of Great Britain. So that, if they should be that way disposed, they may follow up the acts of our government with a perpetuation of the embargo, far beyond our present calculation.

On the other hand if Bonaparte should succeed in establishing his brother in possession of the crown of Spain, it must be by force, and then South America being declared independent by its inhabitants be resorted to by all who can fly from the old country, and form a compact of lasting amity and alliance with

Great Britain. Even in the latter case this country will long have reason to deplore the conduct of Mr. Jefferson's administration. But if it should please the Omnipotent to give complete success to the arms of the just, and victory to the banners of righteousness, then will Spain and Great Britain have it in their power to deal out to this country just what measure they please. Usurpation and tyranny never yet glided into decline without ultimately tumbling to ruin. There are many things which the mind, capable of tracing up causes to their consequences, can even now clearly discern, respecting the fate of the Napoleon dynasty, but which lie hidden from the eye of the many, and which the bad hearted and timid would abhor to think of. Either this is true, or man and nature have ceased to be what they have ever been. If the Spanish patriots succeed in repelling Bonaparte out of Spain, his power in Europe will from that day rapidly sink till it reaches the bottom never to be seen again. Let us imagine that desirable event, the expulsion of the French from Spain, accomplished; let us contemplate her settling her external relations; and let our minds accompany the ambassador which President Madison will send to crouch for a treaty, into the presence of those august patriots who wield the destinies of that glorious people---THE SUPREME JUNTA. Let us suppose him to have made his speech---trimmed up with the fustian of Mr. Jefferson by way of improving the bombast of Mr. Secretary Smith---and then let us hear what the venerable FLORIDA BLANCA might, with the

most religious adherence to truth, and probably will say to our envoy in reply.

"SENOR!

"When that unjust and merciless usurper, from "whose cruel gripe the Spanish monarchy and its "sovereign have been rescued by this brave and loy- "al people, aided by Great Britain, was trampling on "the rights and independence of the world, your re- "public, forgetting not only the principles on which "it professed to stand, but the duties which it owed "to the world, confederated with that tyrant, and "under cover of a specious neutrality, privately aided "him, not only with clandestine loans, or tribute, "but by doing every thing to injure and embarrass "Great Britain—the world's sole hope, and only re- "fuge from his tyranny. In common with every nation "that groans beneath his yoke, though they dare not "to express their feelings, we felt a just indignation "at conduct at once so base and so impolitic: but "we were fain to be silent, because the time to speak "was not yet come. When this gallant people rose "in their might, and putting their trust in the Lord "of Hosts, encountered in combat that Goliah, your "republic, entering into his views endeavoured, all "that in IT lay, to oppress us with famine—to starve "us into the tyrant's chains. As freemen, as a na- "tion, whose boast it had been that they had, with "infinitely less cause, resisted the tyranny of England "and successfully repelled it, it was natural for us to "expect that the unanimous voice of YOUR PEOPLE "would be with us, even though the *accustomed per-* "*suasive powers* of the tyrant might have perverted

" and corrupted the hearts of your ministers.—But, " Sir, we found you, with some virtuous excep- " tions, alike inaccessible to feeling. Your sympa- " thies were reserved for the oppressor, and you " turned to the oppressed only to aggravate their " wrongs and help to crush them. As forgetful of " the obligations of just retribution and gratitude, as " of your national honour, you cast from your hearts " all consideration of the services which our sove- " reign afforded you in asserting your independence ; " you shook hands with the sanguinary spoliator who " robbed his family of their throne, and who held " them manacled in a prison, into which they were " deluded by his wiles.

" The ingratitude displayed in your base desertion " of the benevolent Louis the XVIth. (who in an " evil hour helped you to freedom,) by joining his " murderers, admits of some specious, though a very " false palliation ; you there joined the *people*, as you " would say, against the *despotic monarch*. But if " that were right, on what pretext can you hope now " to justify yourselves for joining the most sanguinary " tyrant that ever lived, while he was usurping do- " minion without any pretence of right, against a " whole nation, who disown him as a robber, an alien " and an intruder ?

" It is emphatically infamous to have in both cases " made choice of a bad cause, and changed your " grounds of principle for the better perpetration of " evil. It will hereafter, I hope, be a lesson to po- " tentates, if ever similar circumstances should arise, " to think what the reflections of the King of Spain

" must be, when plundered, insulted and buried in " the damps of a prison, he is told that that great and " generous nation, from which his forces had contri- " buted to tear thirteen rich colonies, was wasting its " blood and treasure for the deliverance of him and " his country from the yoke of a tyrant; while the in- " grate people for whom he had done so, were leagued " with that tyrant to destroy him and to starve his " people into subjugation and the worst of slavery. " Yes, Sir—magnanimous England, forgetting all " her wrongs, has rescued the throne and nation " that helped to give you independence from your " confederates, in spite of you. In spite of your ef- " forts, we are independent---in spite of your restric- " tions, your embargoes and your wishes, we have " eat bread and we exist, and by the blessing of God " will continue to exist without your friendship or " alliance.

" One word more, Sir. You have got possession " of a large territory---the property of this country. " The tyrant extorted it by compulsion, and raised " money upon it to carry on the war against the in- " dependence of Europe and the existence of our " friend and eternal ally, Great Britain. You gave " that money, and you gave more for the same pur- " pose. Though we could not make good our claims " upon your feeling or your gratitude, we hope to " make them with effect upon your justice, which de- " mands the restoration of Louisiana to his Catho- " lic majesty. This, Sir, is what the Junta have been " pleased to order me to communicate---so wishing

" you a safe return to your country, I commend you
" to God's holy keeping."

The history is now brought to the retirement from power of that gentleman who is the subject of it.--- The character of Mr. Jefferson is to be portrayed in his conduct, which has been faithfully described; and the views of himself, and of the democratic party, may be sufficiently well inferred from the facts already stated. The arrangement of our narrative, and the expediency of connecting the great, leading transactions in one uninterrupted series, has occasioned the omission of many circumstances, which would add to the light already thrown upon those melancholy, but important subjects. Some great, general truths, however, have by this time been established for the benefit of mankind, and particularly of this country. They ought never to be forgotten.

On summing up the character of Mr. Jefferson, its principal characteristic seems to be duplicity. It was that unhappy and illaudable disposition which induced him to support the measures of Washington's administration, while he was privately employing the National Gazette to asperse his measures and to render them unpopular. It was it, which induced him to hold two different languages, one official, the other confidential, to Monsieur Genet; of which that petulant minister violently complained. It was it, which induced him to extol Washington, and to employ all his persuasion and arguments to prevail on that great man to accept the office of President a second time, and yet to stigmatize him in his letter to Mazzei, and to affect to weep over his grave, in thea-

tric show of disconsolation, while he was paying the most infamous assassins of the press to traduce and render him hated and suspected. It was it, which made him publicly express his joy that Mr. Adams was elected President, after he had done every thing in his power to prevent his being elected, and while he was employing Callender to vilify his character and misrepresent his principles and conduct. It was under the full operation of that mean and detestable spirit that, with apparent but feigned devotion, he acknowledged the existence of a superintending Divine Providence, and invited that atrocious infidel, Thomas Paine, to come to America and recommence his useful labours. It was this overweening hypocrisy and fondness for double dealing, that dictated his inaugural speech, which was, from beginning to ending, one tissue of misrepresentation of his own real purposes, and which afterwards dictated the abominable answer to the New-Haven remonstrance. It is to it, the American people are indebted for the greatest stain upon their national character---that of having by one agent allured an army of Arabs and their unfortunate sovereign, Hamet Caramelli, to march across the deserts of Lybia to answer the purposes of national policy, by promising to restore him to his rightful throne; and by another, surrendered that Prince's interests and the lives of his army to an implacable, sanguinary enemy at Derne; and which brought ruin on that abused and deceived Prince, and involved General Eaton in a snare, out of which nothing but his great courage, vigour and good sense could have extricated him. It was it, that dictated

the dispatches to Commodore Morris, which were so artfully constructed as to betray that gallant officer into a war, without committing the administration, leaving the President free to disavow his acts if unsuccessful, and to adopt them as his own if prosperous; and which in the end enabled him to persecute that officer and drive him from the service. It was it which governed his conduct in the disgraceful affair of Miranda's expedition---enabling him, as it might afterwards happen, to benefit himself and reap the harvest of that gallant man's enterprise if he were successful, or to turn his back upon him, (which he did,) if he should find it expedient. And, finally, it was it which induced him publicly to encourage the employment of force in pretended defence of our national rights, while he was privately surrendering them, by basely submitting to the exaction of tribute.

Such was the man who for eight years ruled a free and independent republic, with far more unbounded power than the sovereign of Great Britain ever was permitted to exercise in that monarchy. Such was the man who, without any one praiseworthy quality---without wisdom in council, or courage in the field, kept under the most galling state of depression every man of approved virtue and talents in the country, and was permitted to slide out of power with impunity, after having brought the country to the verge of ruin at home, and to derision and contumely abroad, and after having destroyed the commerce and impoverished and rendered nearly bankrupt the commercial body of the nation---and who, though execrated by all honest men and all the zealous friends of their

country, and blasted with the resolutions of most of the wise and patriotic State legislative Assemblies of the Union, carried into retirement with him the attachment and loyalty of the French faction and the body jacobin of the country.

As for the effects of his administration upon the Union, the extent of their evil cannot yet be ascertained. Time alone can do that---but so far as it is given us yet to see, they are so faithfully portrayed by the Legislature of Massachusetts in their resolutions that it would be a pity and indeed would hurt the subject to take it out of their mouths.---When Mr. Jefferson came into the administration of our affairs, the Union had been brought into the most prosperous state by the preceding administrations of Washington and Adams---the peace and neutrality of the nation had been impartially asserted and maintained. With England our ancient controversies were satisfactorily adjusted---the posts on our frontiers were given up---Indian wars extinguished---adequate compensation for depredations on our trade obtained, and the national faith redeemed by provisions for the final settlement of British debts. By Spain our right to the navigation of the Mississippi was recognised, and indemnity secured for the illegal capture of our vessels. With France, a new treaty was concluded, annulling her unjust decrees, granting us security as far as the faith of nations can be so considered, against their future reëstablishment, and containing her submission to the act of Congress which declared the old treaties void, by reason of their violations on her part. Thus with foreign nations

our ancient controversies were adjusted, and those of a recent date, and which had grown out of a fierce and unexampled war, were composed.

At home, agriculture, manufactures, the fisheries, navigation and commerce were encouraged and extended.---The credit of the nation was revived, its capital enlarged, and its revenues established---the public arsenals were replenished, a naval force created, and the American name upheld and revered throughout the world.

Such is the exact picture of our situation when Mr. Jefferson came into office. What is the state of the country now, as it passes out of his hands?---Why this---this is Mr. Jefferson's work :---

Our agriculture discouraged—
Our fisheries abandoned—
Our navigation forbidden---
Our commerce at home restrained if not annihilated---
Our commerce abroad cut off---
Our navy sold, dismantled, or degraded to the service of Cutters and Gun-boats.
The revenue extinguished---
The course of justice interrupted---
The military power exalted above the civil---

And by setting up a standard of political faith, unknown to the Constitution, the nation weakened by internal animosities and division, at the moment when it is unnecessarily and improvidently exposed to war with Great Britain, France, and Spain.

So great a change accomplished in so short a time is unexampled in the history of weak and unfaithful administrations, and can have proceeded only from the want of that capacity, integrity and prudence, without which no government can long preserve the prosperity or the confidence of the country.

That our government will be better in the hands into which it has fallen, is rather to be wished than expected.---A federal Congress may hold the beam balanced against the evil policy of a versatile President*---but that the nation should flourish again as it did under the auspices of our federal Presidents is not to be expected, until the good people of the United States shall come to their perfect reason and call to the administration of their affairs that man who more than any other in the Union resembles the father of his country, and the wisdom, virtue, vigour, courage and magnanimity of General Charles Cotesworth Pinckney shall give energy to our measures and courage and confidence to our councils, and restore the country to the honourable station she once held in the eyes of the admiring world, by bringing back into the administration of our affairs the spirit, the principles, and the sound policy of the immortal Washington.

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* General Hamilton declared that Mr. Madison was, during the agitation of the important question of a Constitution, far more zealous for monarchy than any other active public character in America.

END.

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